This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

STANFORD UNIVERSITY
LIBRARIES

THE WRITINGS

OF

JAMES MONROE

VOLUME III.

1796–1802

Of this Letter-press Edition

750 Copies have been Printed for Sale

No.....

G. P. Putnam's Sons

June, 1900

THE WRITINGS

OF

JAMES MONROE

INCLUDING A COLLECTION OF HIS PUBLIC AND PRIVATE PAPERS AND CORRESPONDENCE NOW FOR THE FIRST TIME PRINTED

EDITED BY

STANISLAUS MURRAY HAMILTON

"Protected by our Union, the bulwark of our safety, let us unite, on sound principles, in exertions to confirm our republican system: to amend its defects where it has any, and to increase the spirit of harmony so necessary to the welfare of societies and the happiness of individuals."—MONROE.

VOLUME III.

1796–1802

G. P. PUTNAM'S SONS

NEW YORK
27 WEST TWENTY-THIRD STREET

LONDON
24 BEDFORD STREET, STRAND

The Knickerbocker Press

1900

308
M753 1h
v.3
1796-1802

The Knickerbocker Press, New York

158822

CONTENTS OF VOL. III.

1796.

PAGE

To the Secretary of State, Paris, May 25th . . 1
Adet's successor—Presentation of flag to France—Discovery of conspiracy in France—French affairs in Italy—Letters from Barlow.

To the Secretary of State, Paris, June 12th . . 4
Adet's successor — French decree respecting foreigners — French military affairs.

To Doctor George Logan, Paris, June 24th . . 6
Affairs in France—Proposing correspondence.

To the Secretary of State, Paris, June 28th . . 8
English treaty—An exposition of the actual state in which the majority in the House of Representatives stood in relation to the Jay treaty.

To James Madison, July 5th 19
Fourth of July celebration — Paine's attack upon the President — Complaints of the Administration — Coming election—Foreign military affairs.

To the Minister of Foreign Affairs, Paris, July 14th . 27
English treaty.

To George Clinton, Paris, July 25th 34
Foreign affairs.

To George Clinton, Paris, July 25th 36
Refutation of malicious reports — French military affairs—English treaty.

To Thomas Jefferson, Paris, July 30th . . . 41
French affairs—Peter Derieux.

PAGE

To the Secretary of State, Paris, August 4th . . 48
Mangourit's appointment — Seizure of neutral vessels — Treaty between France and Spain — Affairs at Algiers — Dr. Edwards.

To James Madison, Paris, September 1st . . . 52
English treaty—Complaints of Administration.

To the Secretary of State, Paris, September 10th . 54
Refutation of charges—Affairs with France.

1797.

To James Madison, Paris, January 8th . . . 63
Recall from France.

To the Secretary of State, Philadelphia, July 6th . 66
Demanding specification of charges.

To the Secretary of State, Philadelphia, July 8th . 68
Official papers.

To Thomas Jefferson, New York, July 12th . . 69
Reynolds—Jefferson's letter to Mazzei.

To the Secretary of State, Philadelphia, July 19th . 70
Demanding specification of charges.

To the Secretary of State, Philadelphia, July 31st . 73
Condemnation of Administration.

To Timothy Pickering, July 31st 84
Refusal to receive Colonel Pickering's communication.

To Thomas Jefferson, Albemarle, September 5th . 85
Interference of State Legislature.

To James Madison, Albemarle, September 24th . 86
View of the conduct of the Executive.

To Thomas Jefferson, October 15th 86
View of the conduct of the Executive.

To Thomas Jefferson, November 88
View of the conduct of the Executive.

To Thomas Jefferson, Albemarle, December 25th . 89
Settlement of accounts—Remittance for family of La Fayette.

Project of Address on Return from First Mission . 92

1798.

PAGE

To Thomas Jefferson, Albemarle, January 8th . . 95
Land tax—Contest in Congress—Resolutions of Assembly—Essay on French Revolution.

To Thomas Jefferson, Richmond, January 27th . 97
Personal accounts—Assembly—Scipio's attack.

To Doctor Enoch Edwards, Albemarle, February 12th 98
Refutation of charges.

To Thomas Jefferson, Albemarle, February 12th . 100
Political situation—Publication of book.

To Thomas Jefferson, Albemarle, February 19th . 102
War with France and Spain—Mr. Adams—Intention to resume practice—Reply to Scipio.

To Thomas Jefferson, Albemarle, February 25th . 105
Trial of Mr. Lyon—Law practice—Foreign intercourse bill.—Appointment of John Quincy Adams to Berlin.

To Thomas Jefferson, Albemarle, March 26th . . 106
French seizure of British goods—Publication of view in *Gazette*—Reply to Scipio—Bill for reimbursement—Refutation of charges.

To Thomas Jefferson, Albemarle, April 8th . . 115
Action of Administration—Mr. Adams.

To Thomas Jefferson, Albemarle, April 14th . . 118
Refutation of charges—Political situation—Thomas Morris—Skipwith's bill for reimbursement.

To Thomas Jefferson, Fredericksburg, May 4th. . 120
Thomas Morris—Settlement of accounts—Political situation—Luther Martin's attack on Jefferson.

To Thomas Jefferson, Fredericksburg, May 14th . 122
Settlement of accounts—Political meeting.

To Thomas Jefferson, Richmond, June 1st . . 123
Settlement of accounts.

To Thomas Jefferson, Richmond, June 1st . . 125
Adams's reply to Lancaster address.

To Thomas Jefferson, Albemarle, June 16th . . 125
War with France—Adams's attack.

PAGE

To Thomas Jefferson, Richmond, June . . . 128
Settlement of accounts—House of Representatives—Political situation—Personal situation—Private affairs.

To James Madison, Albemarle, June 24th . . 136
Adams's reply to Lancaster address—Refutation of charges.

To Thomas Jefferson, Albemarle, November 15th . 139
Illness—Settlement of accounts—Refutation of charges.

To Thomas Jefferson, Albemarle, November 16th . 148
Settlement of accounts—French decrees—War with France—Refutation of charges.

1799.

To Thomas Jefferson, Albemarle, January 26th . 154
Dr. Bache—Dr. Logan's European mission.

To James Madison, Albemarle, July 13th . . . 156
Assumsit in favor of Mr. Brooke.

To James Madison, Albemarle, September 20th . 158
Alexander Steuart.

To James Madison, Albemarle, November 22d . . 159
Jefferson's visit.

To James Madison, Albemarle, December 7th . 160
Refutation of charges.

To Judge J. Prentis, Richmond, December 23d . 168
Acknowledgments.

1800.

To Thomas Jefferson, Richmond, January 4th . . 169
Madison's report on alien and sedition laws.

To Philip N. Nicholas, Richmond, March 16th . . 170
Appointment as attorney-general.

To George W. Erving, Richmond, April 4th . . 171
Acknowledgments.

To Thomas Jefferson, Richmond, April 23d . . 173
Virginia elections.

To Thomas Jefferson, Richmond, April 26th . . 174
Virginia's gun foundry—Contract with La Motte—Virginia elections.

PAGE

To the Virginia Senators in Congress, Richmond, April 28th 176
Appointment of La Motte.

To George Hay, Esquire, Richmond, April 29th . 177
Offence against the sovereignty of Virginia.

To Thomas Jefferson, Richmond, May 25th . . 179
Trial of Callender under the sedition law.

To Thomas Smith, Richmond, May 31st . . . 181
Constitutional rights of court, council, and governor of Virginia.

To Judge St. George Tucker, July 12th . . . 192
Comments on perusing Judge Tucker's essay on common law, etc.

To Governor Thomas McKean, Richmond, July 12th, 194
Thanking him for pamphlet on penal code of Pennsylvania —Comments.

To Edmond C. Genet, Richmond, July 30th . . 195
Possible misconstruction of correspondence—Congratulation on his recall.

To James Madison, Albemarle, August 6th . . 197
Health of his child.

To Robert McCormick, Richmond, August 10th . 198
Pattern of musket on Mauberge model.

To James Madison, Albemarle, August 13th . . 199
The Skipwith affair.

To James Madison, Albemarle, August 14th . . 201
Engagement of overseer.

To the Mayor of Petersburg, Richmond, August 30th, 201
Insurrection of slaves.

To the Mayor of Richmond, Richmond, September 1st 202
Defence of Richmond.

To Colonel David Lambert, Richmond, September 2d 203
Defence of Richmond.

To James Madison, Richmond, September 9th . . 203
Engagement of overseer—No reply to letter of August 13th.

PAGE

To Thomas Jefferson, Richmond, September 9th . 205
Alarm at negro insurrection.

General Orders, Richmond, September 10th . . 205

General Orders, Richmond, September 15th . . 206

To Thomas Jefferson, Richmond, September 15th . 208
Purchase of land.

To Thomas Jefferson, Richmond, September 22d . 209
Introducing Mr. Peters.

General Orders, Richmond, September 25th . . 210

To the Members of Council, Richmond, September 28th 211
Arrest of Gabriel.

To the Commandants of the 12th and 38th Regiments, Richmond, October 3d 212
Dismissing militia.

To Colonel Thomas Newton, Richmond, October 5th, 213
Trial of Gabriel.

To James Madison, Richmond, October 8th . . 214
Madison's loan—Negotiation with France.

To Judge William Prentis, Richmond, October 11th, 215
Negro insurrection.

To Lieutenant-Governor John Drayton, Richmond, October 21st 216
Negro insurrection.

To Thomas Jefferson, Richmond, November 3d . 218
Meeting prevented by official duties.

To Thomas Jefferson, Richmond, November 6th . 219
Success of republican ticket.

To James Madison, Richmond, November 7th . . 219
Hamilton's pamphlet.

To Doctor James McClurg, Richmond, November 28th 220
Replacing Capitol bell.

To the Speakers of the General Assembly, Richmond, December 1st 220

PAGE

To the Speakers of the General Assembly, Richmond, December 5th 234

To the Speakers of the General Assembly, Richmond, December 12th 243

To Thomas Jefferson, Richmond, December 16th . 244
Elections.

To the Mayor of City of Richmond, Richmond, December 27th 246
Negro insurrection.

To Thomas Jefferson, Richmond, December 30th . 248
Elections.

To John Adams 249
The Lancaster attack.

1801.

To Thomas Jefferson, Richmond, January 3d . . 253
Political reports.

To Thomas Jefferson, Richmond, January 6th . . 253
Projects of Federalists — Elections.

To Thomas Jefferson, Richmond, January 9th . . 255
Peter Carr.

To Thomas Jefferson, Richmond, January 18th . 256
Marshall's opinion on appointment of President.

To Thomas Jefferson, Richmond, January 27th . 257
Adjournment of Assembly.

To Colonel Thomas Newton, Richmond, February 11th. 258
Captain Barron's seizure of slave ship.

To Colonel John Hoomes, Richmond, February 14th, 258
Provisions for obtaining election news.

To the Virginia Senators in Congress, Richmond, February 18th. 260
The election.

To Mrs. Shephard, Richmond, February 23d . . 261
Purchase of negro slave as reward.

PAGE

To Thomas Jefferson, Richmond, March 3d . . 261
Political review.

To George William Erving, Richmond, March 5th . 264
Recommendation to Jefferson.

To Philip Shephard, Richmond, March 5th . . 266
Purchase of negro slaves.

To Thomas Jefferson, Richmond, March 5th . . 266
Introducing Mr. Voss.

To Aaron Burr, Richmond, March 15th . . . 267
Mr. Fenwick.

To Thomas Jefferson, Richmond, March 18th . . 268
Suggestions as to his political course.

To Thomas Jefferson, Richmond, March 23d . . 274
Recommendations for office.

To George W. Erving, Richmond, March 24th . . 276
Recommendation to Jefferson.

To Thomas Jefferson, Richmond, April 6th . . 278
Endorsing Joseph Scott.

To Thomas Jefferson, Richmond, April 29th . . 279
Political course.

To Thomas Jefferson, Richmond, May 4th . . 279
Rufus King—State governors and the President.

To James Madison, Richmond, May 20th . . . 286
Introducing Mr. Davis.

To Thomas Jefferson, Richmond, May 23d . . 286
Affair of British Consul at Norfolk—State governors and the President.

To John Cowper, Richmond, May 24th . . . 288
Foreign deserters.

To Thomas Jefferson, Richmond, June 1st . . 289
James Thomson Callender.

To James Madison, Richmond, June 6th . . . 290
Conversation with Callender.

To Robert R. Livingston, Richmond, June 12th . 291
Introducing Arthur Lee—Congratulation on appointment.

PAGE

To Thomas Jefferson, Richmond June 15th . . 292
Purchase of lands for penal colony.

To Captain John Clarke, Richmond, June 20th. . 295
Artisans for manufacture of arms.

To Thomas Jefferson, Richmond, June 20th . . 298
Mr. Hay.

To Thomas Jefferson, Richmond, July 12th . . 299
Mr. Taney.

To George Clinton, Richmond, July 12th . . . 299
Congratulation on election.

To Thomas Jefferson, Richmond, September 25th . 300
Introducing Arthur Lee.

To Thomas Jefferson, Richmond, September 28th . 301
Mr. Arthur Lee.

To Thomas Jefferson, Richmond, November 17th . 301
Mr. Purviance.

To the Speakers of the House of Delegates and of the Senate, Richmond, December 7th . . . 302
Interior navigation — Public schools — Militia — Roads and bridges — Jefferson's election.

To Thomas Jefferson, Richmond, December 8th . 318
Purchase of lands for penal colony.

To Robert R. Livingston, Richmond, December 15th, 320
General William Campbell—Major John Jouett.

To the Speakers of the General Assembly, Richmond, December 21st 321
Correspondence with the President—Purchase of lands for penal colony.

To Thomas Jefferson, Richmond, December 21st . 322
President's message—Removals from office—Candidates for Richmond post-office.

1802.

To the Attorney-General of Virginia, Richmond, January 1st 324
British subject's claim for land in Virginia.

PAGE

To the Speakers of the General Assembly, Richmond, January 5th 326
Beaumarchais' claim against Virginia.

To the Speakers of the General Assembly, Richmond, January 16th 328
Insurrection of slaves.

To the Speaker of the House of Delegates, Richmond, January 26th 330
Disbursement of public money.

To the Speaker of the House of Delegates, Richmond, January 28th 332
Appropriation of money for public festivity.

To the Secretary of War, Richmond, February 4th . 334
General Read—The Shawanee chief.

To Mr. Pichon, Richmond, February 4th . . . 335
Beaumarchais' claim.

To Thomas Jefferson, Richmond, February 13th . 336
Purchase of lands for penal colony.

To Thomas Jefferson, Richmond, March 14th . . 338
Houdon's claim.

To the Reverend Mr. Dubois, Richmond, April 3d . 339
Reprieve of insurgent slave.

To Thomas Jefferson, Richmond, April 12th . . 340
Houdon's claim—6th article, treaty with England.

To Thomas Jefferson, Richmond, April 25th . . 341
Court of appeals—Proposed legislation in Congress—Comments.

To Colonel John Nivison, Richmond, May 12th . 344
Calling out of militia.

To Colonel Thomas Newton, Richmond, May 12th . 346
Intercession for slaves.

To John Cowper, Richmond, May 12th . . . 346
Trial of slaves.

To James Madison, Richmond, May 13th . . . 347
Mr. Gauvain.

PAGE

To Thomas Jefferson, Richmond, May 17th . . 348
Jefferson's letter of May 9th—Colonel Thomas Newton.

To John Cowper, Richmond, May 25th . . . 350
Condemnation of insurgent slaves.

To Thomas Jefferson, Richmond, June 11th . . 351
Penal colony—Sierra Leone.

To James Madison, Richmond, July 2d . . . 354
Major Scott—Judicial districts.

To Thomas Jefferson, Richmond, July 7th . . 355
Callender's publications.

To Thomas Jefferson, Richmond, July 26th . . 356
Callender's attack.

To Thomas Jefferson, Richmond, August 31st . . 357
Maryland's claim to territory.

To Colonel Andrew Moore and Others, Richmond, October 5th 358
Building of road between the James and Kanawha rivers.

To the Speakers of the General Assembly, Richmond, December 6th 360
Last message.

To the Council, Richmond, December 7th. . . 377
Acknowledgment of their resolution.

To the Speakers of the General Assembly, Richmond, December 9th 378
Correspondence with the President respecting lands for penal settlement—Maryland's claim to territory.

To Thomas Jefferson, Richmond, December 17th . 380
Introducing General Scott—Re-election of General Mason.

Appendix 383
A View of the Conduct of the Executive in the Foreign Affairs of the United States, etc., etc., etc.

ANNALS OF THE LIFE

OF

JAMES MONROE.

RECALL—GOVERNORSHIP.

1796. May 19. Rufus King nominated to be Minister Plenipotentiary to Great Britain; David Humphreys to Spain.

Passage of Act for relief of persons imprisoned for debt; John

1796. May 28. Quincy Adams nominated to be Minister Plenipotentiary to Portugal.

1796. June 1. Tennessee admitted into the Union.

1796. Aug. 22. Recalled from his mission to France.

1796. Sept. 26. Washington's Farewell Address.

1796. Nov. 4. Treaty of Peace, Friendship, Navigation, and Ransom of American Prisoners with Tripoli.

Third Presidential Election—John Adams and Thomas Pinck-

1796. Nov. 8. ney, Federals; Thomas Jefferson and Aaron Burr, Republicans.

1796. Dec. 6. Second Session Fourth Congress at Philadelphia.

1796. Dec. 21. Charles Cotesworth Pinckney nominated Minister Plenipotentiary to France to succeed Monroe.

1796. Dec. 30. Monroe's leave-taking of the French Government.

Congress assembles to count electoral vote — 228 votes cast;

1797. Feb. 8. Adams received 71, Jefferson 68, Pinckney 59, and Burr 30.

1797. Mar. 2. Joel Barlow nominated to be Consul-General at Algiers.

1797. Mar. 4. Inauguration of President John Adams.

1797. Mar. 20. John Quincy Adams nominated to be Minister Plenipotentiary to Prussia.

1797. May 31. Charles Cotesworth Pinckney, Francis Dana, and John Marshall nominated to be Envoys Extraordinary and Ministers Plenipotentiary to France.

1797. June 7. Elbridge Gerry nominated *vice* Dana declined.

1797. July 9. Impeachment of William Blount.

1797. August. Treaty of Peace, Friendship, Commerce, and Navigation with Tunis.

1797. Dec. 2. Publication of *A View of the Conduct of the Executive, &c.*

1798. Mar. 15. Explanatory Article to the Treaty with Great Britain of November 19, 1794, releasing Commissioners under the 5th Article from particularizing the latitude and longitude of the River St. Croix, signed by Lord Grenville and Rufus King.

1798. April 3. Territory of Mississippi organized.

1798. April 30. Organization of the Navy Department.

1798. May 28. Passage of Act authorizing the President to raise "Provisional Army"; and of Act more effectually to protect the commerce and coasts of the United States; to authorize our vessels of war to seize French armed vessels in certain cases.

1798. June 6. Passage of Act abolishing imprisonment for debt.

1798. June 12. Suspension of commercial intercourse with France.

1798. June 21. President announces failure of mission to France.

1798. June 25. Passage of "Act concerning aliens."

"George Washington, of Mount Vernon" nominated to be

1798. July 2. "Lieutenant-General and Commander-in-Chief of all the armies raised, or to be raised by the United States."

1798. July 6. Passage of "Act respecting alien enemies."

1798. July 7. Congress declared the treaties heretofore concluded with France to be no longer obligatory on the United States.

1798. July 14. Passage of Act "for the punishment of certain crimes against the United States" — and Act "to lay and collect a direct tax within the United States."

1798. July 18. Nomination of Hamilton and other General Officers of the "Provisional Army."

1798. Oct. 7. Trial of Matthew Lyon of Vermont under the Sedition Law.

1799. Feb. 6. Rufus King nominated Special Minister Plenipotentiary to negotiate in London the Treaty of Amity and Commerce with Russia.

1799. Feb. 8. William Smith, Minister at Lisbon, nominated to negotiate Treaty of Amity and Commerce with the Sublime Porte.

1799. Feb. 9. United States Frigate *Constellation* captures French ship of war *L'Insurgente* off St. Kitts.

1799. Feb. 18. William Vans Murray, Minister Resident at The Hague, nominated to be Minister Plenipotentiary to the French Republic [cf. Talleyrand's communication, Ex. Journal, I., 313].

1799. Feb. 25. Oliver Ellsworth, Patrick Henry, and William Vans Murray nominated Ministers Plenipotentiary to discuss and settle by treaty all controversies with France.

1799. Mar. 26. Treaty of Peace, Friendship, and Navigation with Tunis.

1799. July 11. Treaty of Amity and Commerce with Prussia.

1799. Dec. 6. Monroe elected Governor of Virginia.

1799. Dec. 14. Death of Washington.

1800. Feb. 1. United States frigate *Constellation* defeats French frigate *La Vengeance.*

1800. Feb. Second Census of the inhabitants of the United States.

1800. May 7. John Marshall nominated to be Secretary of War—Territory of Indiana organized.

1800. May 12. John Marshall nominated to be Secretary of State *vice* Timothy Pickering.

1800. Sept. 30. Treaty of Peace, Commerce, Navigation, and Fisheries with France.

1800. Oct. 1. Spain cedes Louisiana to France.

1800. Oct. 6. Trial of the negro Gabriel for conspiracy and insurrection.

1800. Nov. 11. Fourth Presidential Election.

1800. Dec. 18. John Jay nominated to be Chief-Justice.

1801. Jan. 20. John Marshall nominated to be Chief-Justice.

1801. Feb. 11. Electoral vote counted: Jefferson received 73; Burr 73; Adams 65; C. C. Pinckney 64; and John Jay 1.

1801. Feb. 17. James A. Bayard nominated to be Minister to France.

1801. Mar. 4. Inauguration of Jefferson.

1801. Mar. 5. Robert R. Livingston nominated to be Minister Plenipotentiary to France.

1801. June 10. Tripoli declares war against the United States.

1802. Jan. 8. Claims Convention with Great Britain.

1802. Jan. 30. Resolution of Virginia Assembly approving Monroe's administration.

1802. Feb. 2. Congress recognizes existence of war with Tripoli.

1802. Aug. 11. Claims Convention with Spain.

1802. Nov. 9. Ohio adopts State Constitution.

THE WRITINGS OF

JAMES MONROE.

TO THE SECRETARY OF STATE.

PARIS, May 25th, 1796.

SIR,—Since my last of the third [second] instant, I have heard nothing from this government upon the subject communicated to you in that and several of my preceding letters; and which had been discussed by the Minister of foreign affairs and myself, as was shewn by the papers transmitted in my last. Nor have I understood, through any other channel, that any decision is taken on that subject. I flatter myself, therefore, that I shall hear nothing further on it. As yet, however, no successor is appointed to Mr. Adet, according to his own request; and who remains, of course, the *locum tenens* until one is appointed. I mention this circumstance, because as such an appointment was contemplated, when that discussion commenced, and was probably delayed by it,—so nothing can be satisfactorily inferred, at least for the present, of the final decision of the Directoire, upon the topic in discussion, until that of the appointment is likewise resumed and settled.

I was lately favored with yours of the 7th of January, communicating the correspondence which took place between the President and the Minister of France, when the latter presented the flag which was voted by the convention; as likewise the resolutions of both Houses of Congress on the same subject, with the letter of the President to the Directoire, in consequence thereof, which letter you desired me to deliver without delay. Accordingly, the day after I received it I waited on the Minister of foreign affairs, and presented the letter to him, with a request that he would deliver it to the Directoire as soon as possible; and to which communication I have since received the reply, of which I herewith inclose you a copy.

There was lately announced by the Directoire to the Council of five hundred, the discovery of a conspiracy against the government; whose avowed object was to overthrow the present constitution, and establish that of 1793 in its stead. The details furnished exhibit a project, which sought to marshal one description of patriots against another; the leaders of the innovating party differing from the established order, by the greater fervor of their zeal; and offering as an allurement to the poor, and in support of their interests, the free pillage of the wealthy. Fortunately, however, the project was discovered in good time, by the Directoire and crushed in embrio. What its object was; who were its real authors, and how many were comprized in it, time will doubtless disclose. Perhaps the trial of Drouet, a member of

the five hundred, lately a prisoner in Austria, and who is accused of being a principal in it, will throw light on the subject in both views.

The discovery of this plot excited anew the jealousy of this government against foreigners, some of whom were suspected of having an agency in it; and which subjected our countrymen, in common with those of other powers, to some trouble. The foreign ministers were, in consequence, called on for a list of their countrymen here, with the business of each respectively; which I have given, and by which, I presume, permission to remain will be obtained for all those who are American citizens.

The success of the French troops in Italy, whereby the Austrian and Sardinian armies were completely routed, in several severe conflicts, and with great loss to the Austrians, has already obtained for the Republic a very advantageous peace with Sardinia; by which the king has not only abandoned the coalition, but ceded forever to France Savoy and Nice; and even put himself in effect, for the residue of the war, under the protection of the French Republic. The papers forwarded will give you the details of this event, as likewise of the provisional treaty which ensued with Parma. It is generally admitted, that the road to Rome is opened; and said, that the Pope is so sensible of this, that he has offered to the Directoire, among other inducements, to use his apostolic authority to appease the discontents in the Vendée, and reconcile the disaffected there to the Republic, in case they will spare him, for the present, the honor

of a visit. A minister or ministers are reported to be on their way from Naples, so that 't is probable some adjustment will likewise soon be made with that power. Beaulieu, with the residue of the Austrian army, has retreated beyond Milan, to the heights between the lake DeGarda and Mantua, a strong position, and noted as being formerly occupied by Prince Eugene; whither too he was pursued by Buonaparte, who now keeps him in check, or rather invests him there. Efforts are making by both governments, to send to both their armies reinforcements; so that, perhaps, until they arrive, the final fate of those armies will not be settled.

I inclose you some letters just received from Mr. Barlow, at Algiers, and am, with great respect and esteem, your most obed^{t} servant

JA^{S} MONROE.

TO THE SECRETARY OF STATE.

PARIS, June 12th, 1796.

SIR,—I have the pleasure to inform you that in a late informal conference with one of the members of the Directoire I was advised by him, that the Directoire had done nothing in regard to us, upon the subject communicated to you in several of my preceding letters; and that he presumed they would do nothing upon that subject. I trust therefore that their councils are thus settled upon this interesting topic, and that I shall hear nothing farther from them on it. But should they take a different turn, of which at

present there is no particular symptom (for the probability of such a course was greatest in the commencement, and whilst the first impressions were at their height) I shall not fail to apprize you of it, and without delay. As yet no successor has been appointed to Mr. Adet; nor can I say what the intention of his government is in that respect. I presume, however, upon the authority of the above communication, that in case one is appointed, it will be merely in consequence of Mr. Adet's request; and be of course only an ordinary official measure, of no particular importance to us.

As yet none of our countrymen have been compelled to leave Paris, under the late decree, respecting foreigners, and which was occasioned by the late conspiracy. Whether they will or not is uncertain; for the Directoire, in executing the power granted it by the decree, have authorized none to stay of any nation, for whose good conduct their respective ministers have not made themselves personally responsible. I could not discriminate between my countrymen, by admitting some, and rejecting others; but did everything in my power to obtain an exemption for all. I send you copies of my letters upon that subject to the minister of foreign affairs, and to which I have yet received no official or other definite answer.

The truce was lately terminated by the Emperor, in the manner prescribed by the convention which formed it, which stipulated, that it should cease after the expiration of 10 days, upon notice given by either

party; and immediately afterwards the campaign was opened by the French, and with the same success, at least to a certain degree, as attended their efforts in Italy. In two encounters between considerable divisions of the army of the Sambre et Meuse and the Austrians, on the right of the Rhine, the former have gained complete victories; taken in the first (excluding the killed and wounded) about 2400 prisoners, and in the second about 3000, exclusive of the killed and wounded. In Italy, two new victories have been gained, and by which Beaulieu was forced to retreat through the Venitian territory to the Tyrol, leaving the French masters of that country. I send you the papers which give you the details, and am, with great respect and esteem your most obedient and humble servant,

JA^S MONROE.

TO DOCTOR GEORGE LOGAN.

PARIS, June 24, 1796.

DEAR SIR,—I give you within a short sketch of the actual state of things here, a copy of which I likewise send to one or two other friends of whom Mr. Beckley is one. If you and Mr. Beckley, if in Philadelphia, deem it worthy the attention, I have no objection to your inserting it in Bache's paper, the first paragraph excepted. And if you likewise approve, I will hereafter keep you regularly apprized of the course of events, whereby the community at large may be more correctly informed of the progress of the revolution than they heretofore have been or can

be from the English prints. The character will be from a gentleman in Paris to his friend in Philadelphia—occasionally varied as from some other quarter, as Bordeaux, that it may not appear to be a regular thing; tho' in that respect act as you please, for as truths only will be communicated and with temperance, it is immaterial what the conjecture is, provided it be only conjecture.

You promised me a visit: Cannot you make it, as we shall be very happy to see you and Mrs. Logan, and will certainly make your time as comfortable as possible. In your absence Mr. Beckley can attend to the little object of my communications, for I wish you and him to act in concert whilst he is in the neighborhood, and indeed if you were both absent you will arrange matters confidentially with Mr. B.[1] himself, who likewise possesses mine.

I beg you to present my respects to Drs Rittenhouse and Rush, and that you believe me sincerely y^r^ fri^d^ and servant

JA^s^ MONROE.[2]

[1] "Mr. *Bache* is doubtless meant." Note by Pickering on original MS.

[2] The above letter is from a copy found among "Letters to Washington" [Vol. 117, p. 337] having been sent (with the Cabinet Opinion on Monroe's recall) to General Washington as an inclosure to the following:—

"(Secret) DEPARTMENT OF STATE, July 4, 1796.

SIR,—I have the honor to enclose the concurrent opinion of the heads of departments on the points stated in your letter of the 24th ultimo and I return the confidential copy of Colo. Hamilton's letter agreeably to your direction. The letter to Mr Adet was sent to him on Saturday.

"The paper inclosed by Mr. Monroe in his letter to Dr Logan gave a very long detail about French affairs. On the last page he touched on the British Treaty; concerning which he says, that the report of a new connection thereby formed between the U. S. and Great Britain, 'operated like a stroke of thunder, and produced in all France amazement.'—There was a postscript to Mr.

TO THE SECRETARY OF STATE.

PARIS, June 28th, 1796.

SIR,—After my last of the 12th instant, I flattered myself that I should hear nothing further from this Government on the subject of our late treaty with England; but find that in this respect I was disappointed; having since received from the minister of foreign affairs, a letter upon that subject, and of which I herewith forward you a copy, as likewise of the answer I made to it. It is probable that this act of the Minister proceeds from himself, and not from the Directoire, since it is presumable from the intimation heretofore given me by a very respectable authority and which I communicated to you in my last, that that body had already determined not to trouble us further on that subject, and in which case less inconvenience is to be apprehended from it. But let it proceed from whatever source it may, I shall not fail to use my utmost efforts to prevent its further progress. I shall see the Directoire to-day at a general audience, being a day (the first Decadi of every

Monroe's letter, but it merely referred to the project of the French constitution, which he had only heard read in the Convention, and could not therefore detail. I am &c TIMOTHY PICKERING."

For Washington's letter of June 24 and the Cabinet Opinion, see Ford's Writings of Washington, Vol. 13, p. 214 and note. The confidential copy of Col. Hamilton's letter here referred to is a copy very carefully prepared by Washington; is in his own handwriting and is headed "Copy—(given in confidence and to be returned to G. W.)" and the postscript—"☞This letter has no date;—but came by post of Wednesday, to Alexandria, under cover from the Secretary of the Treasury." Washington in his copy omitted names and amounts. These are supplied, however, by Senator Lodge in his Works of Hamilton where he gives the text of the confidential letter [Vol. 8, p. 405]. He gives also the date as of June 1796.

month) on which they receive all the foreign Ministers, and as I propose then to speak with some of the Members upon the subject, I shall doubtless be able to give you further, and, I hope,[1] more satisfactory

[1] Ch. Delacroix to Monroe: "Our last intelligence informs us that the House of Representatives of the Congress has consented by the majority of fifty-one against forty-eight votes, to carry into execution the treaty concluded at London between the United States and Great Britain in November, 1794. As this advice is derived only from the gazettes I desire, Citizen, that you will be pleased to inform me what official information you have upon this subject. After the chamber of representatives have given its consent to this treaty, we ought, without doubt, to consider it in full force. And as the state of things which results from it merits our profound attention, I wish to learn from you in what light we are to consider the event, which the public papers announce, before I call the attention of the Directory to those consequences which ought specially to interest this Republic."

Monroe in reply wrote: "Upon the first point permit me to assure you that I have no information other than the gazettes, to which you refer, contain. And upon the second I have to observe that as I have already answered in a very detailed and as I supposed satisfactory manner, your several objections to that treaty, to which I have since received no reply, it is impossible for me to enter again and under such circumstances into that subject. If there are any points in the communication given upon which you think I have not been sufficiently explicit, and upon which further explanation is required and you will be pleased to state these to me, I will immediately notice them more particularly, and hope to your satisfaction; since, be assured there is no particular object which I have more at heart, than to preserve by the utmost candor and frankness in all my communications, the best harmony between our two republics." In continuation of the subject of the Jay treaty Monroe wrote again to the Secretary July 24th: "I herewith transmit you a copy of a third communication which lately passed between the minister of foreign affairs and myself, upon the subject of our late treaty with England, and which seems to have been produced by my reply to his second letter, which sought information whether the House of Representatives had passed a law to carry that treaty into effect. I presume therefore, from this consideration, as from the further one, that the Directoire now possesses our view of that subject (which was my object in asking, and theirs in granting the discussion) that it may now be considered as closed.

I have endeavored, as you will perceive, in this my last reply, to divert this government from the subjects of its own complaint, and which it has so uniformly and vehemently pressed of late, by presenting before it a list of ours also, for injuries received from this republic, in the course of the present war.

information on that head in my next. I have notwithstanding thought proper to forward to you immediately the above, and am, with great respect and esteem, Sir, your most obed^{t} humb. serv^{t}

Ja^{s} Monroe.

The attempt, I know, was a delicate one, at the present time, and under the present circumstances; but yet I thought it my duty to make it, since such a view was intimately connected with the topic in discussion and might produce, and most probably would produce, a good effect, and especially as I presumed it might be made in a manner becoming the dignity of the nation I represented, and be tempered, at the same time, with suitable respect for the councils of that to which it was addressed.

I sincerely wish it were now in my power to say that this affair was ended, and that neither of us should ever hear of it again; but this I cannot say; for so deep founded has their discontent appeared to be, and so vehement their desire to give some signal proof of it, that it is impossible, even at this moment, to determine in what scale their councils will ultimately settle in regard to us. At one time it was whispered that they meant to bring forward a claim against us, for all their property taken by the British in our vessels, including what was taken in the flight of their Emigrants from Saint Domingo; at another, that they meant to suspend for the present all payments to our citizens, and until satisfaction upon their several complaints was obtained; and again that they would suspend the operation of those articles in our treaty of 1778, which the Minister intimated to me in his last letter the Directoire thought it its duty to modify; but yet none of these things are done, nor have I any particular reason to presume they will be done, other than what appears from the general temper of the government, and of which you are already sufficiently informed. Upon the whole, therefore, I think I may venture to observe, that as this government and nation, independent of the points in discussion, are friendly to us, and, as a strong portion of passion has obviously mingled itself with their other motives in reference to these, and which is probably diminished by the time that was gained by the discussion (admitting that *that* was the only benefit gained by it) the probability is, that no such measure will now be taken.

Lately however a new cause of complaint was suggested to me, but in so indistinct a manner and upon so peculiar a subject, that I do not even yet comprehend what was meant by it. It was observed to me, by a person in a high station the other day, when in conversation with him on the other points, that in our late treaty with Spain, we had likewise forgotten our relations with France. I expressed my astonishment at the intimation, and asked him in what respect; since I could not conceive to what he alluded, France having no territory in that quarter, and of course no rights or interests depending there. He replied (at least so I understood him) that he did not mean to intimate we

An exposition of the actual state in which the majority in the House of Representatives which was opposed to the British Treaty found itself and which induced many members to change their votes and give effect to that Treaty, although at the time they said they disliked it.[1]

1. The government in the hands of the President and Senate who were in favor of the Treaty and who would of course do every thing in their power to carry it into effect.

2. The Merchants in general for executing the Treaty, because they thought a refusal to do it would occasion a war with Britain, and because the Merchants of all countries dislike war.

These had already excited troubles in the greater cities, having suspended their commerce, refused to expedite or insure vessels, and which had produced a general stagnation in all kinds of business.

3. Every public calamity which might befal the United States or their citizens afterwards would have been ascribed to the conduct of the House of Representatives and particularly the following.

had committed a breach of engagements, but of friendship only. He then descanted upon the intimate relations subsisting between France and Spain at present, the latter approaching and seeking the aid of the former, to support her colonies against Britain; but gave no explanation of what he referred to in the suggestion as first made; nor have I been able since to ascertain it. I will however endeavor to fathom this business if possible, and will in case I succeed, immediately afterwards unveil to you the mystery. * * *."

[1] This paper (found among the Monroe MS.) in the handwriting of his Secretary appears to be a memorandum of arguments used by Monroe in his efforts to counteract the partisans of war in the Councils of France and to reconcile that Government to the final action of our own in carrying the treaty with England into effect.

By the vote too which that party gave against the treaty and by a great majority, it has shown its strength and therefore proved to the world that in that view as well as by the purity of its principles it merits respect. England will respect and try to overwhelm it, because being founded on the mass of the American people who are proprietors and cultivators, she knows it is her foe, for the great bulk of the American people detest England. France ought to respect it, for upon the scale of the world, there is not a body of People more respectable than those People are, nor has she any where and from the purest motives such true and sincere friends as they are.

What will be the effect of this vote with respect to England? Will she execute the Treaty in consequence of it?

The Posts she will probably yield, and she may probably put on the air of executing the other articles of the Treaty at least for the present. But whether she will ever execute the other articles is uncertain and will depend on circumstances. The policy of England is to separate the United States from France and unite them with her. Could she see her way clear in this she would not have pursued her late, nor would she pursue her present policy towards them. She would on the contrary open her arms to them and not only do them justice but infinitely more than justice. It is believed and upon good ground that to effect that object she would open all her Ports to them in the East and West Indies and give them all the priviledge, in trade in such ports that her own people

probable because they would thereby acknowledge they had erred and in consequence give a triumph to their opponents, and which few men are willing to do even when they see they have erred. If then the majority in the House of Representatives had continued against the Treaty, making its utmost efforts to defeat it, the probability is, considering the actual state of things, that the party composing that majority after exposing the country to the danger of a civil war, bringing on itself the imputation of Jacobinism, anarchism, with all the other odious epithets which are so copiously bestowed by the enemies of the French revolution even upon the most upright and distinguished authors of that revolution (for the Enemies of that revolution—bestow those titles upon all who are its friends) and after gradually losing ground would have been finally overcome.

A Victory to the friends of the Treaty attended with such circumstances would probably have ruined the character of its opponents and thereby done great and essential injury to the cause of republican government in the United States. By acting however as they have done the opposers of the Treaty have left the responsibility of their own measures in this and other respects to its friends and without creating any delay to the exception of those measures whereby to weaken the force of that responsibility. No charge therefore of that kind lies at the door of that party: on the contrary the moderation and temper which it has shown commands the respect as well as the fear of its antagonists.

By the vote too which that party gave against the treaty and by a great majority, it has shown its strength and therefore proved to the world that in that view as well as by the purity of its principles it merits respect. England will respect and try to overwhelm it, because being founded on the mass of the American people who are proprietors and cultivators, she knows it is her foe, for the great bulk of the American people detest England. France ought to respect it, for upon the scale of the world, there is not a body of People more respectable than those People are, nor has she any where and from the purest motives such true and sincere friends as they are.

What will be the effect of this vote with respect to England? Will she execute the Treaty in consequence of it?

The Posts she will probably yield, and she may probably put on the air of executing the other articles of the Treaty at least for the present. But whether she will ever execute the other articles is uncertain and will depend on circumstances. The policy of England is to separate the United States from France and unite them with her. Could she see her way clear in this she would not have pursued her late, nor would she pursue her present policy towards them. She would on the contrary open her arms to them and not only do them justice but infinitely more than justice. It is believed and upon good ground that to effect that object she would open all her Ports to them in the East and West Indies and give them all the priviledge, in trade in such ports that her own people

enjoy.[1] But she sees that the sense of the American nation revolts at the idea of a connexion with her at the expense of its connexion with France and in consequence infers that whatever she grants to America is a positive loss without the hope of retribution. She traces this sentiment in many circumstances which have heretofore occurred since the Peace of 1783, and which satisfy her, it is a sentiment deeply engraven on the American mind, a truth too which will be more fully impressed upon her councils by the late Vote in the House of Representatives, since she will see in that vote a sure indication that that enmity is not diminished: on the contrary that it daily gains strength, and promises soon to rule the councils of those States.

The probability therefore is that Great Britain will only temporize with those States for the present, and merely to gain time, in the hope that by address, intrigue, the possibility of indiscreet councils here &c., &c., she may ultimately accomplish her object, and that as soon as she finds she cannot, and especially if in the interim she gets rid of the pressure of the present war, retaining her present maritime power undiminished, she will then throw off the mask and refuse to execute the other articles of the Treaty. It is obvious that if the United States stand well with France her object is defeated, and equally so, that

[1] "This was actually the intention of the Marquis of Lansdowne, who made the peace in 1783, and with the express view so far as that measure could do it of detaching America from France and breaking the French alliance. He was turned out of office, or most probably a Commercial Treaty to that effect would then have been made."—Note in original MS.

in proportion as the good understanding subsisting between these countries is diminished, will the views of England be promoted.

Knowing as I did the actual state of things in America and that the only means by which the Intrigues of England could be counteracted (so far as such counteraction depended on France) was for the latter to get the better of little jealousies and suspicions and observe towards the United States a just and liberal policy, because I know that such a policy when contrasted with that of England which was a continual system of hostility, would keep alive the partiality of the People for France and would prove the surest means of exterminating whatever interest England had in those States. With this view I asked of the then committee of public safety to repeal certain decrees which were passed some months before, under the influence of those jealousies and suspicions and in express violation of our Treaty of Commerce for the seizure of our Vessels trading to other countries with provisions and other articles exempted from the list of contraband by that Treaty and after some time obtained it. I asked also of the Committee to secure in its Treaty with Spain for the United States the free navigation of the Mississippi, showing that it was within its power to accomplish that object for us, and without the least difficulty; for I had been personally applied to by the Duke of Alcudia prime minister of Spain thro' Mr Short our then Minister at Madrid to promote a negociation between France and Spain with an assurance that our own disputes should

be adjusted at the same time, and which latter I put into the hands of the Committee of public safety. This request however tho' in part attended to, was never carried into effect and in consequence whereof the same object was accomplished a few months afterwards by our own Minister at the Court of Madrid. Permit me here to ask is it not probable if the French Government had done us that act of service, that thereby it would have completely defeated this British Treaty? Whether under the impression of such a recent service the President would have ratified that Treaty, let your objections to it be well or ill founded? And if he did ratify it, whether that service (in the opinion the Treaty was objectionable here) would not have given new strength and energy to its opposers in the House of Representatives and among the People at large who (let the advocates of the Treaty be what they may) certainly are your friends? And how much more wise as well as more benevolent is that policy which seeks to promote your interest by acts of Friendship and liberality than by those of an opposite character?

The above observations are intended to expose according to the view I have of the case concisely the actual state in which the opposers of the late Treaty with Britain found themselves, when that subject was under discussion in the House of Representatives and to which some other remarks that are deemed not impertinent to the same are added. It will be observed that nothing is said upon the merits of that Treaty in regard to the objections raised against it here, and

because it has already been discussed in that light with the Minister of foreign affairs in which discussion a full answer was given to those objections. It may be proper however simply to observe that France has no right to complain of that Treaty, unless she can show that it violates our Treaties with her, and which it is presumed she cannot show, since it contains a clause expressly stipulating that such Treaties shall remain in full force; or unless she can show that thereby privileges are granted to Britain which could not be granted without a breach of neutrality and which it is also presumed cannot be shown. I add this solely for the purpose of observing, that if in any view of the subject, it is the Interest of France to pursue an amicable & conciliatory policy towards the United States. How much stronger is the motive or rather the obligation of doing it in the present case if upon sound and just principles she has no right to complain of the Treaty in question.

America ought not even at the present day to be ranked and considered as a secondary power. In point of territory and of productions which are of the first necessity she claims a higher rank; and in point of population (being at present about 6 millions) when the fertility of her territory, the felicity of her climate, and the nature of her government which is a free republican one, are considered it is but reasonable to conclude that the lapse of a few years more, will even in that time too place her, in the first rank. At present she has no fleet, her coast too is unfortified, to the extent of about 400 leagues, and in addition to

which she is just recovering from a long and destructive war (more devastating by far than that which now afflicts France, for there was scarcely a district in the United States which was not visited by some party of the enemy, British, Hessians, &c., whereas your enemies have scarcely ever entered your territory) and therefore it is not to be wondered at, that the same people, who still live, should incline for the present to enjoy repose: But the American nation is not a pusillanimous nation, its efforts in its struggle for liberty prove this: nor is it insensible of injuries nor will it fail to discriminate between those who are in the progress of time and as circumstance may require, its friends, and those who are its enemies. England has already accumulated in the course of the present war many injuries to those she rendered us in the last, and in my judgment if France does not weaken the effect they ought to produce and certainly will produce upon generous minds, she will in future have cause to repent it.

TO JAMES MADISON.

PARIS, July 5, 1796.

DEAR SIR,—Yesterday the Fourth of July was celebrated here by the Americans. I intended to have done it, but having given them an entertainment last year they returned the compliment this. You will observe by the copy sent in, that [in the toast] to the American government the term "executive" is used and not "president." The course of

the business was as follows : The project [of the celebration] began first with the friends of the British treaty, and fell through, and was then [taken] up by its enemies, and after which the others came in. But the first party had appointed a committee (or rather the second in order) and who conducted the business, the majority of whom were for giving "the Congress" only, or drinking no toasts. I told them if they would give the "executive," I supposed all would be satisfied and I would attend and which I could not otherwise do. The first party however in order were not consulted or disliked what was done and when the toasts [were] gone through, one of them ro[se] and proposed a volunteer in favor of G[enl] Washington &c. and which was [opposed] by some of the others. This made a noise here and perhaps will with you and as some slander may in consequence be leveled at me, I therefore give you the facts. The Minister of France and the foreign ministers were present.

I trouble you with another incident of the same kind : Paine having resolved to continue in Europe some time longer and knowing it was inconvenient for me to keep him longer in my family and wishing also to treat on our politics which he could not well do in my house, left me some time since. He thinks the President winked at his imprisonment and wished he might die in goal, and bears him resentment for it ; also he is preparing an attack upon him of the most virulent kind. Through a third person[1] I have

[1] Dr. Enoch Edwards.

endeavoured to divert him from it without effect. It may be said I have instigated him but the above is the truth.

But to come to a subject of more importance.—I think myself ill treated here by the administration and doubt how to act in consequence of it so as to advance the public interests without injuring my own character. The following is a literal extract from my instructions, [with] professions testifying the President's attachment to the French revolution "and to remove all jealousy with respect to the mission to London,—You may say that he [Jay] is positively forbidden to make the engagements between this country and France. It is not improbable that you will be obliged to encounter on this head suspicions of various kinds; but you must declare the motives of that mission to be to obtain immediate compensation for our plundered property and restitution of the ports"—with much more in the same spirit. An equivocation may be taken on the word *motives* but the counter sense is a declaration that he had no other business there and which was otherwise.

The object I presume was to lay a good basis here by means of my mission and taking advantage of which and of the success of France which would cost us the respect of the English Court; make a barter for commercial stipulation of a faith and alliance with France and which probably would have succeeded had I not blown them up by discourse in the Convention and by their own documents by means whereof that Court lost all confidence in them, think-

ing their professions insincere and of course *that* what it gave was given for *nothing*, or had the negociator possessed as capable a head as he did a corrupt heart.

Since the ratification of the treaty by the President I have received but three letters from the Department of State and which were from Timothy Pickering and the last now six months—April, and these were not of a very conciliatory kind. After denying that this government had any right to complain of the treaty, he adds that the article respecting contraband inserted the old list by way of admonition to our people to avoid danger: that the provisional article was useful to us as it paid for contraband and, in respect to other seizures that we were the only judges whether we would go to war for cause or otherwise accommodate the difficulty and would never consult any other power on that head; and with many professions of regard for this country or explanation of further views breaks off the subject and thus ends it.[1]

This tone may proceed either from a desire to court a rupture with this country or be the effect of wounded pride and it would be natural to ascribe it to the last cause if the President had not owned that the ratification of the treaty hazarded a war here and if policy did not dictate, as the way to avoid it a more conciliatory one; or if he was not conciliating,

[1] The original letter is practically entirely in cipher. Some difficulty has been experienced in deciphering it, as many of the characters are indistinct and others not correctly given (according to the key) by the writer.

through Gouverneur Morris, at the same moment the Court in England or if the gasconades business of the flag[1] had not been a desperate movement calculated to deceive the people of America while it gave disgust here or if a different tone had not been assured in my instructions before the issue of the treaty with England was known and whilst appearances here were necessary to obtain a favourable issue. These considerations make the nature of this conduct more doubtful than it otherwise would be.

It is however the interest of America to avoid a rupture here and I have in consequence done all in my power to prevent it and I think and without vanity with some effect. If things stand as they do here and our admistration changes everything will come right. A new treaty may be formed of a different stamp from that with England and which will not only tie the two republics closer together than they were ever before and by ties of interest, but by contrasting its credit and advantage with the distress of the other by reviewing the friendship and harmony with this country which was nearly gone, and which is desired by our citizens, completely relieve us of our present dangers and difficulties and ruin the aristocratic faction.

But if we do not change the administration [through] timid influences with the republican party, who will always be branded as anarchists, and the present administration continuing and the interest of the two nations requiring it and surmounting all

[1] Article XVIII. of Jay's treaty, "Contraband Goods."

obstacles, a new treaty will be formed here under its auspices and which though less favorable than might otherwise be obtained will serve as a colouring whereby to deceive posterity as to the nature of the crisis we have passed as well as many of the present day with respect to the merits of the contending parties: still however I consider it as the effect of passion for Washington is an honest man.

I have suffered much personal mortification here and for reasons that are obvious; and should demand my recall, did I not think that my continuance for some time longer was somewhat necessary in the views above suggested and did I not wish rather to be recalled than to demand it for in the last case I am to defend my character to my country and which I would do by a publication of my whole correspondence and instructions and the like and which I could not otherwise well do. How long I shall be able to bear my situation I cannot say. I will bear it however till I hear from you in reply to this or until the ensuing election shall confirm in office the present tenants.

I should like much to make a new treaty with this government after things are settled on both sides because I think a good one might be made for both countries; and in my opinion here is the place to make it. Let the trust be committed to a minister in Philadelphia and his own credit is the object; but appeal to the fulfillment itself and a different merit may be found. And having borne the storm whilst my efforts were employed only to prevent disunion

I should like to have an opportunity to promote union. However this is of no consequence.

I most earnestly hope that Mr. Jefferson will be elected and that he will serve. If he is elected every thing will most probably be right here from that moment and afterwards on the other side of the channel. And in my opinion there never was such an opportunity offered for the acquisition of fame in the restoration of national credit abroad and at home as is now present presented, independent of the gratification an honest mind will always feel in rendering useful service to his country. He will be able at the same time that he secures the preponderating republican councils and gives stability to republican government, to conciliate the well meaning of the other party and thus give peace to his country.[1]

In a few words I give you the state of the war. All Italy is in truth subjugated and peace made with all the powers (either by definitive treaties or by provisional agreements), Naples excepted, and who has an Envoy now on the road to treat also. They have all paid or agreed to pay considerable sums, given up pictures, the most celebrated pieces of art and in truth accepted their authorities from this government. The representative of St. Peter has agreed to pay 21 millions of livres for the provisional suspension of arms, to give up 100 pictures & 300 manuscripts; to exclude the British from his ports etc., etc. The French have entered the territory of the Grand Duke and put a garrison in Leghorn, upon the principle that

[1] Ending of cipher.

the English held it and had violated against France the neutrality of Tuscany. In entering they laid hold of [manuscript effaced] tapistry they could find which they say was worth 7 or 8 millions of livres. And upon the Rhine the same good fortune has attended the French arms. In several engagements the French have prevailed; and seem now to have gained a complete preponderance. In short their success seems complete, so much so however as to threaten ruin to the Emperor if he does not make peace and which is therefore in all probability now at hand. England will be reserved for the last and against whom the resentment of this country if not increased by its tyde of good fortune is certainly not diminished. Projects are spoken of in regard to that country which never seemed to merit attention before but which now and especially if a peace is made with the Emperor, assume a more serious aspect. You will conjecture these and therefore I will not mention them.

July 31.—This is the third copy I have sent you of the above, or rather this is the original of the two already forwarded. Since the above the scene has varied but little in any respect. The French continue to hold their superiority on the Rhine, but press forward with great circumspection, the Austrians retiring to strong positions, and protecting their retreat by strong fortifications. Frankfort is taken by the French and upon which city and imposition was laid of 35 million florins but which it is thought cannot be paid.

This will be committed to Dr. Edwards and who

will hasten home as fast as circumstances will permit. He is possessed of very extensive and correct information of affairs here as well as in regard to those which concern this republic and the war in general, as our own affairs, and to him therefore I refer you for such details as are not here communicated.

[1] From what I learn from the bearer of this and notwithstanding my efforts to prevent it Paine will probably compromise me by publishing some things which he picked up while in my house. It was natural unaided as I have been [here] or rather harassed from every possible quarter that I talked with this man, but it was not so to expect that he would commit such a breach of confidence as well as of ingratitude. Perhaps it may appear to proceed from other sources. If so my name will not be involved and that is greatly to be wished. But otherwise the above is the state of the facts. Upon no point but in my relations with either government am I personally uneasy, let what may happen and this is a thing of a personal delicacy more than anything else.

TO THE MINISTER OF FOREIGN AFFAIRS.

The Minister Plenipotentiary of the United States of America, To the Minister of Foreign Affairs of the French Republic.

PARIS, July 14th, 1796, (26 Messidor) and 21st Year of the Independence of the United States of America.

CITIZEN MINISTER,—I have received your favor of 19 Messidor (7th July) and am sorry to find by it

[1] The cipher was again had recourse to for this last paragraph.

that the answer I gave to yours of 19 Ventose, containing the exposition of your objections to our late treaty with England, was not satisfactory to you. To this latter letter therefore I shall also make a reply, and in the hope that it will produce its desired effect.

I observe that you confine your objections in this letter to a single article in that treaty and which failed to secure protection in our bottoms to your goods; and which you deem a violation of a tacit agreement which, you say, has subsisted between the United States and France, since their treaty of 1778; and an abandonment of the principles consecrated by that treaty. You likewise say that the Directoire considers the stipulations of our treaty of 1778, which respect the neutrality of our flag as altered, and suspended by this act; and that it would think itself wanting in its duty, if it did not modify a state of things which would never have been consented to but upon principles of strict reciprocity.

You seem aware, and with great reason, that you have no right to complain of that stipulation, unless it violates some existing obligation either of the law of nations, or of our treaty with you; and in consequence intimate that it has violated both; for you add, that the principles of that treaty have, in that respect, become since the law of all civilized nations. I shall endeavor to shew that that article has violated neither the one nor the other.

I presume it cannot be controverted, that by the old and established law of nations, when two powers

are at war, either may take the goods of its enemy in a neutral ship. This doctrine is established by the most eminent writers, and admitted in practice by all nations, between whom particular treaties have not stipulated the contrary. To prove this assertion in its first part, permit me to refer you to the following authorities, and which are clear and explicit to that effect;[1] and to prove it in the second part, permit me to ask, if the law of nations was not so, why were special treaties entered into by particular nations to stipulate the contrary? Is it presumable, that any powers would form treaties to establish what was already established? Or was it thought, when our treaty of 1778 was formed, that, in this respect, it made no change; or, in other words, stipulated nothing?

But you say that the law of nations has changed, and that the principles of that treaty have become since, in that respect, the general law of all civilized nations. Permit me to ask you by what authority was this done; or how it appears that it is done? I admit that it is changed among those nations who have formed treaties to that effect, and between those only who have formed them; but further the doctrine cannot be carried. It cannot be said, for instance, that the assent of a particular number of nations to a rule which ought to operate between themselves only, is to become a rule for other nations who have

"[1] Bynkerskoek, vol. 2d. Quest, *juris pub.* lib. 1. cap. 14.
Voet de Jure militari, cap 5. 2. No.
Vattel, lib. 3. cap 7. Sect. 115, and many others." Original Note.

never assented to it; or, in other words, that a part of the civilized nations would have a right to dictate a law to another part: Such a doctrine would substitute force to right, and might be productive, in other cases, and especially in the hands of governments less friendly to liberty than yours and ours are, of consequences the most fatal to society: It is therefore in my judgment not a sound doctrine. That Britain opposed the principle that free ships should make free goods in the last war, and has likewise opposed it in the present war, are facts well known to you; as it likewise is, that all your enemies, in the present war, have done the same, including some who are now your friends; and to the great detriment of America. Admitting then that a majority of the civilized nations have a right to bind the minority in a rightful cause (as it is admitted the present one is) how was it to be done upon the present occasion; when the powers composing that majority had shifted sides, and were now marshalled in opposition to the principle they had lately adopted?

Thus it appears that the article in question has not violated the law of nations, according to the opinion of enlightened authorities, and the practice of nations. Nor has it violated our treaties with France: Upon which latter point I shall also add a few words.

It is to be remarked, that you do not urge a violation of any positive stipulation in our treaty of 1778; on the contrary, you charge only the breach of a tacit agreement, which you intimate to have grown out of that treaty. But of what nature was that agreement,

and whence is it inferred? The treaty contains an express stipulation between America and France, that when either of the parties are at war with another nation, it will respect the flag of the other party, trading with that other nation; and it stipulates no more in that behalf. And its reciprocity is to be found in a change of circumstances; whereby the party lately at war is now at peace, and enjoying in turn (the other being at war) the privilege of its flag, in trade with the enemy of the other. It does not stipulate that we will unite in imposing that rule on other nations; nor does it stipulate that we will adopt no other rule with any other nation: Of course we were free to act, in that respect, as we thought fit; and therefore have violated, by means thereof, no agreement with you either positive or implied.

I concur with you, as I did in my last communication, on this subject; that the utmost respect is due to the principle of free ships making free goods; and with you I also unite in the hope, that it will soon become universal; since it is a principle dictated by reason, and necessary to the freedom of the sea, and in consequence to the peace and tranquillity of nations. The United States have too, as you observe, inserted it in all their treaties, where they could obtain it; and to which I may add, that they will most certainly continue to press it in their future treaties, as opportunities occur, and circumstances may favor, till it becomes general. To promote which end, however, it is proper here to observe, that an harmonious concert between the two nations is absolutely

necessary; for otherwise it were impossible they should succeed.

You will observe, that in my reply to your complaints, I have heretofore confined myself strictly to the subject of those complaints; never going beyond them, to expose in return the injuries we have received from this Republic, in the course of the present war. But I might have told you in the outset, that by a decree of the convention in 1793, the articles in question of our treaty of commerce were set aside; and, in violation whereof, about fifty of our vessels were brought into your ports; their cargoes taken from the proprietors, and who yet remain unpaid; that about the same time, and without any motive being assigned, even to the present day, upwards of eighty others of our vessels were embargoed at Bordeaux, and detained there for more than a year; and to the great injury of the proprietors, who yet remain unpaid: That for supplies rendered to your islands in the West Indies, which have been and still are supported principally from the United States, as for innumerable spoliations that have been made, and are daily making upon our commerce in those islands; as likewise, for supplies rendered to the Republic here,—immense sums are due to our citizens, as authenticated by the highest suitable public authorities there and here, and for the want of which many of them are ruined.[1] I say I did not bring these things forward,

[1] It is worthy of attention, that under these circumstances, and when such considerable sums were due to the American citizens, the United States paid, and before it was due, the whole of the French debt, amounting to upwards of thirty millions, Liv. Tournois. [This was a mistake; the actual sum was about eight or ten.]—*Monroe's View.*

because it would have borne the aspect of a recrimination, and which I did not wish any part of my conduct to bear, in any transaction with the French Republic; and because I was disposed to yield every possible accommodation to your present exigencies that my duty would permit; and because I confided and still confide that your government, paying due regard to those exigencies, was disposed and would do all the justice in its power to those suffering individuals. Nor do I mention these things now with that view. I do it, on the contrary, merely to inform you of them; since, as the communications that were made on these topics were made to the preceding government, and are, in consequence, probably unknown to the present one; and since they are interesting facts which you ought to have before you in all deliberations on this subject,—provided it be, as I think it is, equally the interest of both Republics, to preserve for ever inviolate the good understanding which now so happily subsists between them.

For what has passed, the United States have always found an excuse in that unhappy state of things that was attendant on your revolution; and have looked forward to the period, when a free and happy constitution should be established here, as the moment when by conciliatory and friendly councils, the two Republics should harmonize, not in a painful review of any unpleasant incidents that have passed, if such there were, but in devising the means founded in their mutual interests, and to be secured by suitable and permanent arrangements, whereby to increase

their harmony, and cement their union; and greatly mortified would they be, if this were not the case. But I trust that this will be the case; and under which impression, and upon the observations already made, I submit the subject now in discussion between us to the wisdom and candor of the Directoire Executif.

TO GEORGE CLINTON.[1]

PARIS July 25 1796

DEAR SIR,—I have been fav'd with yours of 15 of April by Major Fulton by which I was much gratified to hear that you were upon the recovery of yr. health, & wh. I sincerely hope will be completely re-established soon, for I promise myself much pleasure in yr. compy. upon my return to my country. In truth you ought to have good health for twenty years more & I hope you will not be deprived of what you have so just a title to. I think the events on this side of the Atlantick are calculated to chear yr. spirits, and restore you to health, even were you ever so much reduc'd: for never was the cause of republican gov't more triumphant than it now is here. The armies of France are victorious in every quarter: Italy may be considered as subdued: for the Austrian army after being defeated in several actions has finally fled the field: Sardinia has accepted the terms prescribed by France ceding Savoy & Nice;

[1] Clinton papers, No. 6300. The editor is indebted to the courtesy of Mr. Arnold J. F. van Laer of the New York State Library for the above and other letters from the same collection.

the Pope does the same, paying money, giving up pictures, &c. Naples now has an envoy on the road to make proposals favorable to France & whereby all that quarter will enjoy peace & upon the terms prescribed by France. The French have also entered Leghorn because the Engl'h. held it as a kind of deposit for supplies for Corsica & other parts of the Medeteranean sea & because also the Engl'h. had violated the neutrality of Tuscany agnst the French. Upon the Rhine too their armies are equally successful having defeated the Austrians likewise in several actions: The French are now on the right of the Rhine and are pressing into the interior of the country. Frankfort is taken: indeed they seem to have gained a decided preponderance in that quarter also.

In the interior too the prospect is good: great harmony exists between the two councils & the Directoire & the people, even those heretofore deemed unchangeably hostile to republican govt. begin to relax their enmity & to think it better to rest where they are, which they find good, than hazard everything by new experiments. The general idea is, it is better to remain in the port where they are, than embark again upon a sea, whose storms they still remember with horror.

I think it probable peace will be made soon with the Emperor, tho' it is to be observed that that court is proud and not easily subdued. I hope however France will shew moderation & close with that power now that she stands on such favorable ground to

command suitable terms. With Engld. the war will still be continued. I beg you to remember me to Mr. M. Smith, Mr. Gelston whose son has been ill but is recoverd & to other friends & that you will believe me affecy. yours JAS. MONROE

I write in haste & therefore can not go into further details. Inform Mr. G his sisters are well.

TO GEORGE CLINTON.[1]

PARIS July 25 1796

DEAR SIR,—I have just heard that some benevolent minded people in Phila. have circulated a report that I am engaged in speculations in this country in land &c. & with Mr. Skipwith: and that I omitted to forward or neglected, the remittance hence of a sum of money committed to me by draft of Swan upon the H. of Dallardt & Swan here to be remitted to Holland to our bankers. I enclose you the affidavit of Mr. Skipwith to disprove the first calumny, & the correspondence with this govt., our bankers in Holland &c to disprove the 2d. In truth I have bought nothing here but the house & lot on wh. I live, the furniture which I use—my books & a few other trifling articles wh. I intend to carry with me when I return home such as a few glasses &c. The house I mean to keep till I set out home—having bought it to live in, in a retired & pleasant part of the town from a man who sold it to pay his debts, (often the

[1] Clinton papers, No. 6301.

case here & elsewhere) an architect, & who is now my neighbour. I have never bought another foot of ground in this country or any other article not above mentioned. I might it is true embark in speculalations here, & purchase rich seats for two years purchase, & presume I might procure the money to do it: for national domains sell at that rate: but I declare to you solemnly that I have not, nor shall I embark in such a business: not that I think it so culpable to do it, as to buy the claims of our soldiers before a provision was made for their payment, & then make the provision; or to buy up the debts of individual states before they were assumed & then assume the payment of them as many profligate men in office with us were known to have done. But because I will have nothing to do with a traffic dishonorable in some situations and commendable in few. With respect to the purchase of the house in which I live, I see no greater impropriety in the measure than in renting it. A house I must have over my head, and I think it more creditable to own it than to rent it, & so far as it applies to the confidence of this govt., a thing of some importance, it was certainly calculated to produce a good effect.

Upon the other point, the correspondence I enclose (the originals of wh. I have) will give you such full satisfaction that I need add nothing upon it. You will perceive by it, how much trouble I had with that contest—how anxious I was to conduct it to the best advantage of the U. States—and how little ground there is for censure. You will observe

too that this item in my duties here (for comparatively with others then pressing it was a very trifling one) was at a moment when I had little leisure for it, & will therefore I think be surpris'd that I got thro. it so well, or kept up such a regular chain of correspondence. I think you will also be surprised that I bore with such patience the unbecoming stile of the bankers letters to me, & wh. in truth upon now reading them over I am surprised at myself—but I recollect my motive was to avoid anything wh. by giving offense might diminish the zeal of others, labouring always by getting rid of the money to rid myself at the same time of their unpleasant & disgusting correspondence.

I defy the malice of my enemies to impeach the ground on wh. I stand & wh. is correctly as above stated. Perhaps I may be near them before they are aware & then may discuss these things personally. I prefer much that mode & shall reserve myself the right of so doing on my return if worth my notice. In the meantime I enclose for your inspection & afterwards to be forwarded to Mr. Madison the within papers on these topics. If you have heard of these calumnies or others have heard of them, you are at liberty taking extracts from these papers to shew the papers before forwarding them to Govr. Clinton, Chr. Livinston, M. Smith, Mr. Gelston or any few others of yours & my friends—particularly Mr. Governeur & Mr. Knox. I shall in that case thank you or indeed in any case if you think fit, to explain the above, or shew such papers as you think

fit to my friend Mrs. Montgomery who always takes an interest in what concerns my honor & welfare to whom & whose family as to the above mentioned friends I beg you to make my affectionate regards.

The fortunes of France flourish beyond what was expected by her most sanguine friends. Italy is in truth subjugated & upon the Rhine the armies of the Emperor being defeated in several actions are now retiring into the interior of Germany before those of France. The Austrian army in the former quarter after being vanquished in every rencounter has finally fled thro' the Venitian territory by the Tyrol country out of Italy: and the French army followed it in consequence into the Venician territory where a part now is. The French have likewise entered Leghorn where they seized much Englsh. property & wh. they keep as lawful prize. The motive of this measure was because the Englh. held Leghorn as a kind of Entrepot for all their supplies for the Mediteranean, & had also violated the neutrality of Tuscany against the French. Mr Pope has stipulated provisionally with Bonnaparte to pay 21 millions of livres to give up 100 pictures to be chosen from his whole collection, a few only excepted—300 manuscripts & shut the Englh. out of his ports. The King of Naples likewise has an envoy on his way to accept the terms offered by France. So that in truth this country is conquered. Tis said that negotiations are depending with the Emperor & far advanced so that the presumption is peace will soon take place with that power also & upon the terms of France. Engld.

will be reserved for the last, & agnst whom the resentment of this country seems not to be in any degree diminished. Indeed the idea that this govt. will have to conduct the war free from any enemy on the continent (a thing unprecedented before) agnst. that power, which all parties deem the source from whence all the calamities wh. have so long afflicted France have sprung, seeming to clothe all, & to form a new & active cause of union among them & in support of the government. France has many hundred thousand men she must employ after peace with the Emperor. She has too a vigorous and an active govt; she has means too inexhaustible, & war with some power as well for employment of her army as to give time to the govt. to consolidate & gain strength, is absolutely necessary: and to be candid Engld. is the power agnst. whom they seem resolved to turn that force as well for the considerations above mentioned as to gratify a resentment that is universal.

I can not well mention to you the difficulties I have had to encounter to prevent this govt. from taking some very unfriendly step towards us, on acct. of our late treaty with Engld. & the danger there still is it may do it: altho' I have done everything in my power to prevent it, & am still doing everything that I can do for that purpose. No effort of my life has been more earnest to accomplish any object than this has been, because I saw in the commencement of an irritating policy wh. wod. lead on to other things the certainty of our seperation, & wh. of all things I deprecated: the relation in which I have been plac'd

in the performance of this duty was new, perplexing & distressing, yet I have pursued an undeviating course, & so far I think I may say, & without vanity, with some effect. But the tie between us is greatly weakened, & its ultimate form if not dissolved will require new measures to restore to its antient strength. I mention this in that confidence its importance requires being sincerely yours.

Mr Prevost is well—is a well informed, industrious & amiable young man & whose welfare I sincerely wish.

Dr. Edwards leaves this by the way of Engld. the safest rout, for America in a few days.

TO THOMAS JEFFERSON.

PARIS, July 30, 1796.

DEAR SIR,—I have lately recd. yr. favors of the 2d & 21 of March last & by which I find, to my surprise, that only two letters from me & those of the last year had reached you, tho' I had written one more of the last year & two of the present one.

Frouville as I informed you in one of them was one of the victims of the reign of terror. Dr. Simm is living & much gratified to find he has a place in yr. memory. The old gentn was somewhat afflicted with the hypochonda. on my arrival, & wh. proceeded from the horrible abuses that were practised rather before that period; but he is now well, having breakfasted with me to-day, walking a league to do it & desires to be affecy. remembered to you. I will procure for you the books you mention, but to execute

that of the Encyclopædia it will be well for you to send me an acct. of what you have already recd., as otherwise it may be difficult from the confusion wch took place, even in those things, here at a certain time; I will also thank you to procure for me a like note of what I have, as I wish to send them at the same time for us both. I believe the work is now complete.

On this side of the water the scene has greatly changed for the better, in favor of republican govt: for since the adoption of the new constitution, liberty has, as it were, been rescued from the dust, where she was trampled under foot by the mob of Paris whose leaders were, perhaps, in foreign pay, and restored to the elevated station she ought to hold, & where she is becoming, as she ought to be, the idol of the country. France never bore, at any period of her history, so commanding a position as she now bears, towards all the powers of Europe, nor did she ever approach it. Since the opening of the campaign all Italy has in a great measure been subjugated. The Austrian army combined with the Sardinian wch. protected Italy (by wch. I mean those powers in the coalition) was vanquished in the very opening of the campaign in several severe actions, & finally driven thro' the Tyrol country out of Italy. After this, or rather after two or three defeats, Sardinia obtained peace, upon terms you have doubtless seen & since all the other powers have done the same, Naples excepted, & who has now an Envoy here to obtain it. They have all paid money, yielded pict-

ures, & in the instance of the Pope, manuscripts of great value, & shut the Engh. from their ports. The French have likewise entered Leghorn upon the principle the Engh. hold it as a deposit for supplies for Corsica &c. & had likewise violated the neutrality of Tuscany agst. the French; & in pursuit of the Austrians who fled that way, they entered after them the Venetian territory. Thus you see the state of affrs. in that quarter. Upon the Rhine, too, the French have been victorious in several actions agnst. the Imperial forces, driving them all on the other side, on wch. side & some distance in the interior, the French armies now likewise are. They seem, indeed, to have gained a decided preponderance over their enemies here, tho' by no means in the degree they have in the other quarter: for the Austrian armies tho' several times defeated, & seeking apparently to shun for the present a genl. action, are nevertheless strong & united, protecting the country by their positions as well as by the forts wch. line the rivers emptying into the Rhine. It is often rumored that negotiations are depending with the Emperor & in Paris, & wch. I think more than probable but yet know nothing certain on the subject. If the French shod. not be discomfited by some sudden reverse of fortune, & of wch. there is at present but little prospect, it cannot well be otherwise than that peace shod. be made soon with the Emperor, since he must now abandon all hope of recovering the Belgic, &c. & since it is to be presumed the French will insist on nothing beyond what they claimed in

the commencemt. of the campaign. It is to be observed they have entered Frankfort & upon wch. city they have laid an imposition of 35 millions of florins; a sum I presume beyond the ability of the place to pay it.

The general sentiment is to have no peace with Engld. for the present, & to wch. they are inclined as well in gratification of the resentment they bear that country for the trouble it has brot. on this, as in the policy of keeping some employment for the immense force that will be on foot after the war on the Continent is closed. It seems to be the fixed determination of this govt. to inflict some great & rigorous punishment upon that nation if in its power, & with this view, & for the purpose of striking at the source of its prosperity all its treaties with the Italian powers are formed, & whereby Engld. will scarcely find admittance into any of their forts. This, however, is a delicate subject for me to write on, considering this letter passes thro' Engld., the bearer, Dr. Edwards, preferring that route to the necessity of making a visit to Halifax or Bermuda, & wch. he wod. probably be forced to do in case he sailed directly from a port of France. To him, therefore, I refer you for whatever is interesting on this or any other topic omitted here, & relating to French affrs. & with wch. he is perfectly well acquainted.

In the interior relations the aspect is equally flattering as in the exterior. The financial system, it is true, is bad but yet not worse than it has been ever since my arrival. Their national domain is the great

fund, & two or three times they have passed laws for throwing this away but upon an idea the plan adopted was solid & wod. be productive: soon, however, it was discovered that these plans were visionary, & answered no end but to cede their property & give discontent to the whole nation, a few land jobbers in each district excepted & some foreigners of the same respectable description, & whereupon they came back upon what they had done & remodified it. They seem to consider the ill success of the plan as a kind of breach of contract on the part of the purchasers, & therefore making it void ab initio. One thing, however, is to be observed that they never do the purchasers any real injustice, so far as to enable them to say they are made to pay even so much as a third of the value of the property: they only give them cause to make a great noise abt. publick faith &c. and wch. you know none are so apt to make as those who have no faith at all. This govt. seems to have a horror of banks, funding systems &c. &, therefore, attempts every other resource in preference to those.

In other views the prospect is excellent. The party of discontented among those who were marshalled on the side of the revolution, diminishes daily & seems to be gradually reducing to those who dishonored it in the days of Robespierre & his associates, men who were probably in the pay of foreign powers & employed to perpetrate those atrocities merely to make the revolution odious & thus oppose it, & who in consequence expect punishment from any established order of things. There are it is

true some exceptions to this, and among men of principle who seem to fear the govt. will incline too much into the other scale, but at present I see no cause for such a suspicion. And on the side of royalty, its adherents, likewise, seem daily to diminish in number, & to be likewise declining to those who are inflicted with a bias for that kind of govt., wch. nothing can eradicate: upon whose minds no proof can work conviction. But the ranks of this corps throughout France has lessened, since this govt. was established, comparatively to nothing. Before this event the people of this country estimated the merits of republican govt. by those of the revolution, & therefore it is not surprising that many and even among those who were ardent & active agents in putting it in motion, shod. have shrunk from it. Europe presented no example of republican govt. or of any other kind of free govt. upon wch. they cod. dwell with pleasure & therefore the revolution was their only standard. But since this govt. was established a new and more impressive example is before them, & wch. be assured has produc'd already a wonderful effect in reconciling the bulk of the people to it. I have this from many quarters & therefore confide in what I communicate.

This is a short sketch of the actual state of things here, according to the view I have of it, & wch. may be durable or fluctuating as events yet depending may unfold themselves: for yet the scene of this great movement is not closed, nor can anyone pronounce what its issue will be until it is closed.

I rejoice that you pay attention to the improvement of my farm near you, since we look to it as a place of comfort from the unquiet theatre on wch. we now stand; for to me & in more views than one it has been a very unquiet one indeed. But I think you can readily perceive why it is so, when you contemplate all the circumstances that apply to me, in regard to publick events since my arrival in the country: 't is therefore unnecessary & unsafe to enter into them upon the present occasion. We never meant a long continuance here, & probably the term we had in view may yet be shortened. I wish, therefore I cod. form a commencement of the house you suggested this fall or as soon as possible, & upon wch. head one of my letters was very minute; upon this I shall write you soon again.

I have done everything in my power in favr. of Mr. Derieux' business without effect. We have a small house next his aunt's & wch. we took to supervise the education of our child at St. Germaine's, as likewise that of Mr. Jones's & a son of John Rutledge's who are at school there, in the hope, too, of seeing the old lady & interesting her to assist him. But she shuns us, as she wod. an officer of the peace from whom she expected a process of the revolutionary kind: and a visit wch. Mrs. M. made her some time since, in the hope of appeasing her fears of importunate solicitation, was rendered very disagreeable by her abruptly opening the subject, as soon as she entered & speaking of nothing else whilst she staid, but the impossibility of rendering any service to her nephew.

Under these circumstances it will I fear be impossible to obtain anything for him. I will, however, if possible. The order some time since enclosed for his uncle I still have, being unwilling to forward it, lest it shod. be paid in assignats or mandats, but I will attend to this object also in suitable time.

We are well & desire to be affectionately remembered to Mr. & Mrs. Randolph, Maria & all our good neighbours. I thank you for information that my brother is well, & the more so because I never hear from him. With great & sincere esteem believe me sincerely your friend JAS. MONROE.

I have just heard that I am charged with having become a speculator here, with other things still more exceptionable, & God knows what. I send, therefore, by this opportunity to Mr. Madison an ample refutation of these charges, advising that they be published if my friends think fit. He will probably see you on the occasion. I think I can ride any storm if I get safe to port from the sea upon wch. I am now embarked. Surely no man was ever in the hands of such a corps as I am at present.

TO THE SECRETARY OF STATE.

PARIS, August 4th, 1796.

SIR,—Within a few days past, Mr. Mangourit, formerly consul at Charleston, now secretary of embassy in Spain, was appointed with the rank of chargé d'affaires, to succeed, with us, Mr. Adet.

This event, as well in respect to the gentleman employed, as the grade chosen, gave me great concern; and, therefore, merited my immediate attention. Accordingly I visited the Minister of foreign affairs this morning, and remonstrated earnestly against the mission of Mr. Mangourit to the United States; as a person who, having given offence to our government upon a former occasion,[1] could not be well received by it, upon the present one.[2] To the grade, however, I thought proper to make no explicit objection; because I had no reason to conclude that it was chosen with any unfriendly view towards us; and because I presumed, if the measure was broken in one part, it would probably be so in the other. The Minister replied to me in terms sufficiently respectful; but nevertheless, in such as induced me to believe, that in case any change was accorded in the measure, it would not be with his consent: He observed, however, that if I would write him a short note on the subject, he would lay it before the directoire; and which I promised I would do.

Within a few days past, too, I heard that the directoire had passed an arrêté, authorising the seizure of neutral vessels destined for England; to take effect when the English likewise seize them. This arrêté was not announced officially; but by the copy of a letter from the minister to Barthelemi, the French

[1] When Consul of France at Charleston.

[2] "I made no other objection to Mr. Mangourit, but the one stated, and after his removal, expressed a wish to a member of the directoire, as I had been instrumental to it, that the government would appoint him elsewhere."—MONROE'S *View*.

ambassador at Basle, published in the gazettes, I saw that the report was true. In consequence, I likewise spoke to the Minister on this subject; and received from him, in reply to my remonstrance against it, a general answer, corresponding much in sentiment with his letter above mentioned, a copy of which I herewith inclose you.

It is said, that a treaty of alliance, offensive and defensive, between France and Spain, is in great forwardness, whereby the latter cedes to the former Louisiana, and, perhaps the Floridas. I have no authentic information of this; but the source from whence it came is of a nature to merit attention.

I have the pleasure to transmit to you herewith, some communications respecting our affairs at Algiers, by which it appears, that Mr. Barlow had the good fortune to succeed with the Dey, in prolonging the term allotted for the payment of the sum due him, concluded by our late treaty for the ransom of our prisoners, and for peace; and finally, and although the money was not received, that he had obtained the discharge of our prisoners, and who were fortunately arrived safe at Marseilles. Upon this event, therefore, which not only liberates from a long and painful captivity so many of our countrymen, but in all probability secures the peace which was endangered by the delay of the money stipulated to be paid, I beg leave to congratulate you; since it is an event, not only important in respect to the consolation which it yields to humanity; but equally so in regard to the extension and security of our

commerce, in a region of the world heretofore unexplored by it, and where it promises to be very productive.

I commit this letter, with other communications for you, to the care of Doctor Edwards, who will deliver them in person; and to whom I beg to refer you for other details upon the subject of our affairs here, upon which you may wish information. He has been more than a year in Europe, and the greater part of that time here; has had opportunities of correct information, and which he has improved to advantage. To him, therefore, I beg to refer you, as to an authority well informed, and very deserving of confidence. I am, with respect and esteem, your most obt. servt. JA.S MONROE.[1]

[1] On August 15 Monroe wrote that: "Being highly impressed with the impropriety of Mr. Mangourit's mission to the United States, and in consequence very desirous to prevent it, I thought proper to state my objections to it in person, to a member of the Directoire, with a request that he would communicate the same to the Directoire; and have now the pleasure to inform you, upon the authority of that member, that the arrêté appointing him is rescinded.

"I lately received an account from England of the capture of one of our vessels, upon our coast, on the point of entering one of our ports, taken by a French privateer, upon a presumption she had English property on board, as she was cleared out from that country. Although this report was not so well authenticated, nor accompanied with the necessary details, to enable me to act officially on it; yet as it might be and probably was true, I communicated it immediately to the minister of marine, asking whether such orders were given. He appeared astonished at the report, and declared, that none such were issued. I conclude, therefore, that this outrage, if really committed, is an unauthorized one; and for which we shall obtain, from the proper parties, in convenient time, a suitable reparation." . . .—[State Papers, Foreign Rels., vol. i., p. 741.]

And on August 27th: "After the accommodation which was shewn in the case of Mr. Mangourit, by abandoning the project of sending him to the United States, I thought the crisis had passed here, and that nothing was further to be apprehended from the temper which occasioned it. But in this I was

TO JAMES MADISON.

PARIS, Sept. 1st, 1796.[1]

DEAR SIR,—This government has at last and against my most [earnest] efforts to prevent it sent an order to their minister to withdraw, giving for reason our treaty with England and declaring that the customary relations between the two nations shall cease. I have no official communication and can not be more particular. After deliberating about seven months, they resolved that the honour of their country would be tarnished in their hands if they acted otherwise. I have detained them seven months from doing

disappointed; for I now hear, that it is decided to recall Mr. Adet, without nominating a successor to him; and that he is to be instructed to declare to our government, that the customary relations between us are to cease, and on account of our treaty with England; with other things to the same effect. I learn this thro' a private and friendly channel and therefore cannot act on it without danger to [its] author; but I shall see the Minister to-morrow and endeavour to lead him to the subject if possible, and in any event to renew my exertions by general observations to prevent the measure tho' indeed I begin to despair of success, so often do they return with the same disposition to the same subject."—[Record Book, Department of State, France 4, p. 412].

"I am told the treaty with Spain is probably concluded; and by which France is to have Louisiana and the Floridas. This might have been obtained when peace was made with Spain; but was declined from the fear it might ultimately embroil them with us. The acceptance of it now, therefore, shews that that motive has less weight at the present time, than it then had.

"It is generally believed, that an attempt will be made to invade England; great preparations being made along the coast for that purpose, in troops, boats, &c. and it is also believed, that the fleet from Cadiz is intended to make a diversion somewhere, for the purpose of drawing the British fleet out of the channel, to favor the project of a descent. This is strongly supported by circumstances, and is, therefore, more than probable.

"It is even whispered, that an attempt on Canada is to be made, and which is to be united with Louisiana and the Floridas to the south; taking in such parts of our western people as are willing to unite. This is worthy your attention, though it may be mere report."—[State Papers, vol. i., p. 742].

[1] In cipher.

what they ought to have done at once. It is impossible to forsee the consequences of this measure which I sincerely regret, but here no change can be expected and of course if the same councils prevail in America the alliance is at an end not to count the other injuries we shall receive from the loss of this nation so preponderant as it is with such valuable possessions in our seas. I do not know whether my functions are suspended. In any event I must wait the orders of our government. At this moment I receive a letter from Timothy [Pickering] in reply to my first on this subject addressed as from an overseer on the farm to one of his gang ascribing (if not absolutely the existenence of any complaint to me) yet that it is altogether owing to my misconduct that it broke out since I had acknowledged [a letter] from him three months before which he says proved they had no right to complain. Hence he concludes that I suppressed that luminous work to this [government]. I have yet given no answer nor do I at present propose it. It will occur to you that I could not defend the treaty until there was a charge brought against it and to prevent which was always the object of my efforts. Delay was therefore always favorable. This letter [from Pickering] corresponds so much with the publication in the New York paper[1] that it tends to create

[1] "The 'Minerva' of N. Y. lately announced, with an affected emphasis, a letter from Paris to N. Y., intimating that influential persons in the U. S. were urging measures on France which might force this country to chuse agnst. England as the only alternative for war against France. It is probable that categorical steps on the part of France towards us are anticipated as the consequence of what has been effected by the British party here, and that much artifice will be practised by it to charge them in some unpopular form on its Republican opponents."—MADISON to Jefferson, May 22, 1796.

a suspicion they were written by the same hand, but these little Connecticut Jockey tricks are too easily seen through now a days to produce any effect. Poor Washington. Into what hands has he fallen!

TO THE SECRETARY OF STATE.

PARIS, September 10, 1796.

SIR,—I have been just favored with yours of the 13th of June; the only one received from the Department of State, since that of the 7th of January last, a note from Mr. Taylor[1] of the 13th of May excepted.

You charge me in this letter with a neglect of duty, in omitting, as you state, to dissipate by a timely and suitable application of the lights in my possession the discontents of this government, on account of our late treaty with England; and you support this charge by a reference to certain passages in my own correspondence, which state that this discontent broke out in February last, four months after I had received a letter from yourself and Mr. Randolph, upon the subject of that treaty; and whence you infer, and on account of the delay or interval which took place between the one and the other event, that I was inattentive to that important concern of my country, and urge the previous and strong symptoms of discontent which I witnessed and communicated, as an additional proof of my neglect.

Permit me to remark that this charge is not more unjust and unexpected, than the testimony by which

[1] Chief Clerk of the Department of State.

you support it is inapplicable and inconclusive: Indeed it were easy to shew, that the circumstances on which you rely, if they prove any thing, prove directly the reverse of what you deduce from them.

If such discontent existed and the formal declaration of it, or commencement of measures in consequence of it was delayed (and the greater the discontent, and the longer the delay, the stronger the argument) and any inference applicable to me was drawn from the circumstance, I should suppose it would be precisely the opposite one from that which you draw. Where a discontent exists, it is natural and usual for the party feeling it, to endeavour to remove it, or express its sense of it; but the pursuit of an opposite conduct for a great length of time, and especially a time of revolution, and when a different and more peremptory one was observed to all the other powers, is no proof, without other documents of negligence in me.

But why did this discontent not break out before these letters were received? You saw by my communications, as early as December 1794, and which were frequently repeated afterwards, that it existed, was felt upon our affairs here, and was likely to produce the most serious ill consequences, if the cause continued to exist. If these accounts were correct, why did this government take no steps under its first impressions, and particularly in August 1795, when Paris was starving, and our vessels destined for the ports of France were seized and carried into England? Was not this a crisis difficult for me to

sustain here; when the eyes of France were fixed upon me, as the representative of the nation upon whose friendship they had counted; as the man who had just before been the organ of declarations the most friendly? Why leave us afterwards, and until the last stage, to our unbiased deliberations upon that subject, and without an effort to impede their free course? Do difficulties like these, with the result which followed, give cause to suspect that I was idle or negligent at my post? That I was at any time a calm or indifferent spectator of a storm which was known to be rising, and which threatened injury to my country? Or that I withheld any light which came to my aid, and which might be useful in dissipating it?

I do not wish to be understood as assuming to myself the merit of this delay; because I know, thinking and feeling as the government did on this subject, that the strong bias of affection which this nation entertained for us, was the true cause of it. But I well know, that I have done every thing in my power, and from the moment of my arrival to the present time, to promote harmony between the two republics, and to prevent this from taking any step which might possibly disturb it, and which I have done as well from a sincere attachment to both, as from a persuasion, let the merit of the points in discussion be what they might, that a continual, temperate, and friendly conduct towards us was the wisest policy which this government could adopt, and would produce the best effect upon that union, which it is,

I presume, equally its wish and its interest to preserve, and of course leave to its councils less cause hereafter for self reproach. It is from the sincerity of these motives and the knowledge this government has of it, that I have incessantly made efforts to preserve that harmony, and been heard in friendly communication, and often in remonstrance upon the topics connected with it, in a manner I could not otherwise have expected.

But you urge, that as I knew this discontent existed, I ought to have encountered and removed it. I do not distinctly comprehend the extent of this position, or what it was your wish, under existing circumstances, I should have done. Till the 15th of February, no complaint was made to me by this government against that treaty; nor did I know before that period that any would be; for from the moment of its organization till then, the utmost reserve was observed to me by it on that subject. The intimations which I witnessed, were written before the establishment of the present government, and drawn of course from circumstances which preceded it. Of the probable views therefore of the present government in that respect, I spoke only by conjecture. Was it then your wish, that because I suspected this government would be or was discontented with that treaty, that I should step forward, invite the discussion, and provoke the attack? Would it have been politic or safe for me to do it; and especially upon a subject so delicate, and important as that was! And had I done it, would I not have been

justly censured for my rashness and indiscretion? And might not even different motives have been assigned for my conduct? To me, I own, it always appeared most suitable, as well as most wise, to stand on the defensive; and to answer objections only when they were made; upon the fair and reasonable presumption, till they were made, that none would be; and upon the principle, if none were made, that our object was obtained; and if there were, that then there would be sufficient time to answer them, and in a regular and official manner. By this however I do not wish to be understood, as having declined at any time informal friendly communications, on this or other subjects, when suitable occasions occurred; for the contrary was the case, as is already observed.

What the circumstances were, upon which I founded my opinion of the probable ill consequences of that treaty, in case it were ratified, were in general communicated, as they occurred. There was however one other, and which was particularly impressive at the time, omitted then, but which I now think proper to add, because it was that upon which I founded the intimation given you, in my letter of the 20th of October on that head. Calling one day, upon the subject of our Algerine affairs, informally, upon Jean de Brie, who had, in the committee of public safety, the American branch under his care, I found him engaged upon that treaty, with a copy of it before him, and other papers on the same subject. I began with the object of my visit, and from which he soon digressed upon the other topic, and with great

asperity; adding that he was preparing a letter for me on that subject, to be submitted to the committee. I answered his charges in the manner which appeared to me most suitable, and finally asked him, if he had received the correspondence which took place on that subject between Mr. Adet and Mr. Randolph; and to which he replied that he had not. I then informed him I had that correspondence, which was an interesting one; and requested he would permit me to give him a copy of it; and further that he would delay his report to the committee, until after he had perused and fully weighed it, which he promised; and in consequence I immediately afterwards gave him a copy of that correspondence. This incident took place just before the movement of Vendemiaire, by which the execution of the project *contemplated* was probably prevented. I omitted this before, because I hoped it would never be revived; and because I did not wish to give more pain on this subject, and especially as I soon afterwards found that the treaty was ratified, than could be avoided. And I now mention it, as well to shew the strong ground upon which that intimation was given; as to prove that none of the lights furnished me, in that respect, were withheld.

So much I have thought proper to say in reply to your favor of the 13th of June; and now it remains for me to proceed with a detail of the further progress of this business here, since my last; at least so far as I am acquainted with it.

I sought immediately after my last was written, and

obtained as soon as I possibly could obtain it, an informal conference with some members of the directoire, upon the subject of my last; beginning by expressing my concern to hear they were still dissatisfied with us, and proposed taking some step in consequence thereof; and which I sincerely regretted because I had concluded the contrary was the case, after the explanation I had given to their several complaints; and because I thought any measure which had an unfriendly aspect towards us, would be equally detrimental to theirs and our interest. They severally replied, they were dissatisfied with us, on account of our treaty with England, and thought that the honor of their country would be sullied in their hands, if they did not say so. I endeavoured to lead them into conversation upon the points to which they objected; but soon found they were averse to it, and were of the opinion that too much time had already been bestowed on that subject. One of the members however observed, that the abandonment of the principle that *free ships made free goods*, in favor of England, was an injury of a very serious kind to France; and which could not be passed by unnoticed. I told him, that in this nothing was abandoned, since by the law of nations, such was the case before; and of course that this article only delineated what the existing law was, as I had fully proved in my note to the minister of foreign affairs; that we were not bound to impose the new principle on other nations. He replied, if we could not carry that principle with England, nor protect our flag

against her outrages, that that was always a reason why France should not complain; that they never asked us to go to war, nor intended so to do; but that the abandonment of that principle formally by treaty, at the time and under the circumstances we did it, in favor of that power, was quite a different thing. Finding that a further pressure at the time might produce an ill effect, and would certainly not produce a good one, I proceeded next to the other points, and to hint what I had heard of their intention with respect to Canada and Louisiana, and to which it was replied, that in regard to Canada, they had no object for themselves; and in regard to Louisiana, none which ought to disquiet us; that they sincerely wished us well, and hoped matters might be amicably adjusted, since they were disposed to meet suitable propositions to that effect with pleasure; adding in the close, that the minister of foreign affairs was instructed to communicate to me the arrêté they had passed; but in a manner to impress me with a belief it was done rather for the purpose of enabling me to transmit it to you, than address them at present further on the subject. Through other channels I have since heard, that this arrêté is withheld from me, and will be, until the dispatch is gone; and with a view of securing themselves against further interruption from me, in the present stage, upon the measure adopted.

From what information I can collect of the contents of this arrêté from other sources (for from the above none was collected) it is to suspend Adet's

functions; instructing him to declare the motive of it; and which, I presume, will correspond with what was declared here, leaving him there for the present: But what he is farther to do is not suggested, nor can I form a conjecture of it, until I receive the communication promised by the minister of foreign affairs; and which I shall endeavour to procure, as soon as possible.

I herewith enclose you a copy of a communication from the minister of foreign affairs, with my reply to it; and by which it appears that a truce is obtained by our agent from the Regencies of Tunis and Tripoli, and with the aid of France.

I have the honor to be, Sir, your most obt humble servt JAs MONROE.[1]

[1] Extract from Monroe's despatch of September 21st.—"As yet I have heard nothing from the minister of foreign affairs, respecting the arrêté of the Directoire, mentioned in my last; and which I understood he was instructed to communicate to me. I therefore conclude that the delay is intentional; and that I shall not hear from him until the dispatch is gone; and after which it will be useless; indeed I consider it in that light at present, and for reasons heretofore communicated, which every day further experience more fully confirms.

"But being extremely anxious to fathom the point, whether this government intended any thing really hostile to us, beyond what it calls a reprisal for our treaty with England, or indemnity against its consequences; and in particular whether it meant, in case it became possessed of Canada, Louisiana and the Floridas, to invite our western people to a junction with them, and thus eventually dismember us, in case they were willing, I lately revived a conversation mentioned in my last, with a member of the Directoire, leading it more directly to this point, than I then did or was able to do, and obtained from him the answer I wished. He told me explicitly, they had no object with respect to Canada for themselves, but wished it separated from England: That they were not anxious about Louisiana, and if they took it, it would be only in case of a war between Spain and England, and then the principal motive would be to keep the British from it, who would doubtless endeavour to avail themselves of such an occasion to seize the mouth of the Mississippi: That, with respect to our interior, we had no cause to be uneasy; for there did not exist, in the breast of a member of

TO JAMES MADISON.

PARIS, Jany 8, 1797.

DEAR SIR,—I recd notice of my recall in Novr Mr. Pinckney arrived here in Decr & I took my leave of

the government, an intention or wish to disturb it; that they would take no step they did not avow to our government, and that therefore we need harbour no suspicion of designs from them, beyond what they did avow.

"I have likewise obtained information from other, and I think authentic, sources, upon this point, and by which I am the more confirmed in the integrity of the above communication.—In short, I am satisfied that no such project exists at present, either on the part of this government, or the western people of the United States; and that what has been whispered on that subject is either the suggestion of slander, originating perhaps with those who wish it; or the offspring of fancies too much agitated with the danger of the present crisis. From the year 1786, a period remarkable for the pernicious tendency which an unfortunate and disastrous negociation had upon our affairs in that respect, till our late treaty with Spain, we were always in a greater or less degree menaced with that misfortune; but by that treaty all danger from that source was happily done away; and now that equal rights in navigation are secured to every part of the federal empire, there appears to be nothing in the political horizon which clouds the prospect before us, or which ought to inspire a doubt that our union will not be perpetual. By this however I do not wish to inculcate an opinion, that we ought to be over confident of our security upon this or any other point; or inattentive to the necessary means of preserving it, for in no situation of affairs ought this to be the case; in the present one therefore a greater degree of vigilance is of course the more necessary.

"An order was lately issued, as I have reason to believe, to seize British property in neutral vessels; and to bring those vessels into port, for that purpose. I did hope, and indeed understood at first, that the arrêté of the directoire was provisional, and intended to be applied only to such cases of British seizure as occurred last year; and such I think was the case at first. But now it is said it is modified as above. I have written to the minister to demand an official information upon this point; and in the interim have communicated the fact, as I understand it to be, to Mr. King, to whom the information may be useful.[1]

[1] "I have reason to conclude, that this government has lately issued orders to its vessels of war and cruisers to seize British property in neutral bottoms; upon the principle that the British seize their property in like manner. I have this information from a source not strictly official, but which precludes all doubt of its authenticity; and have therefore thought it my duty to communicate it to you without delay. I expect daily further explanations from this government upon this subject; and after which, and especially if any thing occurs which varies from the purport of the present communication, be assured I will immediately apprize you of it."

this gov[t] on the first of Jany. so that you will perceive it was impossible unless I exposed myself & family to the danger & inconvenience of a winter voyage, to

"I send you a copy of the treaty of alliance, offensive and defensive, between France and Spain; and which, as you will observe, contains no stipulation respecting Louisiana, and the Floridas. Nor have I any reason to conclude that there is any secret article on that subject. I rather think, from what I can collect, that it is a point still in negociation between those powers; and protracted by the indecision of France, whether to accept or reject it; and whose decision upon it may be essentially influenced by the relation which is to subsist, for the future, between this country and ours. If this relation is established upon the close footing they wish it, then I think it probable (should the question be so long protracted) this government will decline accepting it; from the fear it might prove a cause of jealousy between us and weaken that connection. But should the contrary be the result, then I think they will act otherwise, and endeavor not only in this respect, but by every other practicable means, to strengthen their own resources, and to make themselves as independent of us as possible. Upon this subject however I never touched with them, nor do I hazard a conjecture on it other than on general circumstances already known to you. . . ."—[State Papers, vol. i., page 744].

Extract from Despatch of October 6th:—"I inclose you a copy of my letter to the minister of foreign affairs, demanding whether orders are issued for seizing the property of their enemies in our vessels; and to which I have yet received no answer. I am confident however, that such orders are issued; being assured of it through other channels, apparently too direct to admit any doubt of the fact.

"I enclose you also copies of three notes from him and of my replies: The two first of which respect the judicial process sustained in one of our courts against Governor Collot,[1] late of Guadeloupe; and the third a report said to be circulating here, that the president had laid an embargo on all French vessels in our ports. These communications contain everything that has passed between this government and myself, since my last: and of course everything that I can now add to what you have already received."

Monroe to the Minister of Foreign Affairs:—"Sept. 27th, 1796. I have received your favor the 20th instant (4th Complémentaire) communicating the arrêté of the directoire executif, taken in consequence of a process sustained against Citizen Collot, late governor of Guadeloupe; for the seizure of one of

[1] "The minister of foreign affairs will declare to Citizen Monroe, minister plenipotentiary of the United States of America, that if the Federal Government does not put a stop to the procedure against the Citizen Collot, and does not refer those who sue him before the government and his natural judges in France, the executive directory will take the necessary measures, that reprisals shall be used for reparation of all the injuries of the American government, and of its agents, towards the French citizens and government."

depart hence before the beginning of April next, which we propose to do in case a suitable passage can be obtained from any of the ports of France.

our vessels, whilst he was governor of that island, upon the charge of introducing into it counter revolutionary writings; and which arrêté you request me to transmit without delay to our government.

"I beg to assure you, that I shall immediately transmit to our government the arrêté referred to, and will also make known to you the answer I receive, as soon as I receive it. Upon this subject however I think proper to submit to you some observations, which you may probably deem worthy the attention of your government in the present stage.

"It appears that the Citizen Collot is called on at the suit of an individual, to answer for an act which the latter deems a personal injury; and that the demand made upon him by the court, is to shew that he seized that vessel by virtue of his power as governor: There is yet no final judgment against him, and the presumption is none will be; for the demand made on him to shew by what authority he acted, recognizes that of this government; and proves of course, if he shews such authority, that the judgment will be in his favor. It does not appear that he is required to shew special power to seize vessels from his government; and it is therefore probable it will be sufficient to show that he was governor only. This is the state of the case before the court.

"In the United States, any and every person may be called on in court to answer at the suit of an individual; and when the process is served and returned to court, there exists no authority in the executive power to remove it; nor can it be removed otherwise than by the court itself, and according to its own rules. This principle is general, and applies equally to the officers of our own government, and to those of other countries; for I knew a process served upon the governor of one of our States, after he had retired from office, for an act performed, whilst he was governor; and from which I think he was relieved by shewing that he was governor at that time. I mentioned this fact, as well to shew the universality of the principle, as to observe I think it probable, had Governor Collot attended in person or by counsel and shewn his commission to the court, the suit would have been dismissed in the commencement; and to add also, that I likewise think it probable its continuance for so long a term in court, proceeded from his not taking those measures in his defence, which the constitution and laws of our country require; and which every other person is bound to take; an omission, I presume, incurred, if such be the case, from his being unacquainted with the laws and customs of our country.

"It seems to me to be a sound doctrine, that until there is an ultimate decision by the court, and against just principles, there can be no cause of complaint; especially when the nature of our government and its laws are considered; and to explain which I have thought proper to submit to you the above observations."

The period of our departure after the Spring will depend on obtaining a passage only, as we mean to set out as soon as possible. I inclose you a copy of my address and the President's reply when I took leave. I mean to take a trip into Holland in the interim with Mrs. M. to see some other parts of Europe before our return, & which I was not able to do before, for I never saw things in such a state here after my arrival to be able to absent myself from Paris more than 24 hours at a time, without apprehending real danger to my country & in consequence never went further from Paris to the present time than St. Germain. I beg you to inform Mr. Jones of my intentions & request him not to sell my furniture in Albemarle, as I shall have occasion for it on my return. I have no news to give you & indeed I should not chuse to go into other topics by this opportunity. I beg you to remember me affectionately to Mr. Jones, Mr. Jefferson and other friends & particularly to your Lady. Sincerely I am your friend and servant

JA^{s} MONROE.

TO THE SECRETARY OF STATE.

PHILADELPHIA, July 6, 1797.

SIR,—It was my wish, after the receipt of your letter of the 22^{d} of Aug. last announcing my recall, to repair home without delay, But as I did not receive the letter until some time in November, nor obtain my audience for taking leave of the French government till the first of Jany following, it was impossible for

me to sail before the Spring without hazarding a winters passage, & to which I did not wish to expose my family. This explains the cause why I did not render myself here at a much earlier period.

I postponed my reply to that letter till my arrival, because I deemed it more suitable for many reasons to answer it in my own country than from a foreign one. I think proper however now to call your attention to the subject of that letter, with a view to justify myself against any imputations that have been or were intended to be raised against me, by the measures it announced. I observe by that letter that altho' you found this measure, principally on the ground taken in that of the 13th of June preceeding, yet you intimate there were other concurring circumstances which had weight inducing the Executive in its favor. The object of this therefore is, to request of you a statement of what those circumstances were, that correctly knowing I may distinctly answer them. To the suggestions contained in yours of the 13. of June I shall likewise make such further reply as appears now to be necessary.

I request this statement as a matter of right and upon the principle that altho the Executive possesses the power to censure & remove a public minister, yet it is a power which ought to be exercised according to the rules of Justice : which only are too well defined, by the Principles of our government, to require illustration here. I make this request therefore in a confidence that you will comply with it as soon as you can with convenience.

With due respect, I am Sir your most obedient Servant JAS. MONROE.

TO THE SECRETARY OF STATE.

PHILA. July 8, 1797.

SIR,—Upon leaving Paris I committed my letter books to the care of Mr Prevost, & after his departure to the care of Mr Skipwith, sealed up for Genl Pinckney in case he arrived whilst either of those gentlemen was there, to furnish him with such light, upon our affairs as he could not have derived from your department when he left this. I had previously given to Genl. Pinckney, copies of some papers which he found necessary upon his first arrival, so that in any possible case I trust that your wish was fulfilled in possessing him with such documents as have been or may be necessary for some time to come. I think proper however to suggest the propriety of such a complete copy being furnished from your office as you seem to deem necessary for our representative at Paris, since when I arrived there no paper whatever was furnished to me by my predecessor, either of his own correspondence, of Mr. Jefferson's or Dr. Franklins.

I have thought it my duty to state to you how I found & left this business, to enable you to make such disposition therein according to the rules of your department, as is thought suitable.

I shall be absent from this city till Thursday next at which time I shall be happy to receive an answer to the letter I had the pleasure to write you yesterday.

TO THOMAS JEFFERSON.[1]

NEW YORK July 12, 1797.

DEAR SIR,—I arrived here two days since & set out in return the day after tomorrow for Philadelphia where I shall probably be for a fortnight before I proceed on home. *Here* I have had an interview with the friend of Mr. & Mrs. R,[2] each of us having a friend present & which furnished no result, the business being adjourned over to Philadelphia *where* we meet the day after my return there in company with the other gent[n] Mulienberg & Venable. The details of this interview are reserved till I see you. You may have some idea of them however when you recollect the previous good disposition of some of the parties for each other. The issue is quite incertain as to the mode of adjusting what is personal in the business.

I think you should acknowledge your letter to Mazzei[3] stating that it was a private one and brought to public view without your knowledge or design; that the man to whom it was addressed had lived long as your neighbour & was now in Pisa whither it was addressed: that you do think that the principles

[1] The original letter is among the Madison Papers, Jefferson having sent it to Madison, requesting his opinion regarding Monroe's advice.

[2] Reynolds. This reference revives the "Reynolds affair." As the correspondence between Monroe and Hamilton is already printed and can be readily found [Lodge's *Works of Alexander Hamilton*] it is not necessary to reprint it here. It is regrettable that this subject has been examined in the spirit heretofore displayed and that extenuation of Hamilton's error should be sought for in an unjustifiable endeavor to cast dishonor on the memory or to asperse the character of Monroe.

[3] Published in *The Minerva* of May 14, 1797. Cf. Ford's *Writings of Jefferson*, vii., 74.

of our Revolution and of Republican government have been substantially swerved from of late in many respects; have often expressed this sentiment which as a free man you had a right to express in your public places & in the walks of private life &c. according to the letter: That you declined saying anything about it till you got home to examine how correct the letter was. This brings the question before the public & raises the spirits of the honest part of the community.

[July] 13. I dine to day by invitation with a numerous and respectable assemblage of honest men. You will doubtless examine and decide on the above suggestion soon and give me the result. You are fortunate in having our friend Madison near you. One thing I suggest for you both is, that by not denying it you have all the odium of having written it & yet without taking a bold attitude which is necessary to encourage friends.

TO THE SECRETARY OF STATE.

PHILA. July 19, 1797.

SIR,—I have been favored with yours of the 17th inst. and answer it without delay.

If you supposed that I would submit in silence to the injurious imputations that were raised against me by the administration you were mistaken. I put too high a value upon the blessing of an honest fame, & have too long enjoyed that blessing, in the estimation of my countrymen, to suffer myself to be robbed of

it by any description of persons, and under any pretence whatever.

Nor can I express my astonishment which the present conduct of the administration excites in my mind; for I could not believe till it was verified by the event, after having denounced me to my countrymen as a person who had committed some great act of misconduct, & censured me for such supposed act by deprivation from office, that when I called upon you for a statement of the charge against me, with the facts by which you support it, I should find you disposed to evade my demand & shrink from the inquiry. Upon what principle does the administration take this ground, and what are its motives for it?

Do you suppose or contend that the power committed to the Executive by the Constitution, to remove and censure a public minister, or any other public servant, has authorized it so to do, without a sufficient cause? Or that the Executive is not accountable to the publick & the party injured for such an act, in like manner as it is accountable for any and every other act, it may perform by virtue of the Constitution? Upon what principle is a discrimination founded, which presumes restraints in certain cases, against the abuse of Executive power, and leaves that power without restraint in all other cases? And how do you designate, or where draw the line between these two species of power, so opposite in their nature & character? This doctrine is against the spirit of our Constitution which provides a remedy for every injury. It is against the spirit of

elective government, which considers every public functionary as a public servant. It becomes the meridian of those countries only, where the monarch inherits the territory as his patrimony, and the people who inhabit it as his slaves.

That the right to censure and remove a public officer was delegated to the Executive with peculiar confidence, is a motive why it should be exercised with peculiar care; for the more confidential the trust which is committed to a public functionary, in a responsible station, the greater circumspection should he use in the discharge of it. It was not intended thereby to dispense with the principles of justice or the unalienable rights of freemen, in favor of Executive *pleasure*. On the contrary it was expected that that *pleasure* would be exercised with discretion, & that those principles & rights would be invariably observed. It is an incompetent recompense to a person who has been injured by the Executive, to be told that the Constitution permits the injury, if the power intrusted was hereby abused and the principles of the Constitution violated. And it is an unbecoming measure in the administration to defend by the argument of power, what it cannot justify at the tribunal of reason and justice.

I have been injured by the Administration and I have a right to redress. Imputations of misconduct have been by it raised against me, and I have a right to vindicate myself against them. I have invited you to state and substantiate your charges if you have any, & I repeat again the invitation.

You suggest that you have facts & information which warrant this procedure. Let me know them, as likewise your *informers*, that I may be able to place this act of the Executive, and my own conduct in the light which they respectively merit to stand.

The situation of the United States has become in many respects a very critical one, & it is of importance that the true cause of this crisis be distinctly known. You have endeavoured to impress the public with a belief that it proceeded in some respects from me. Why then do you evade the inquiry? Is it because you know that the imputation was unjust & wish to avoid the demonstration of a truth you are unwilling to acknowledge? Or that you fear a discussion which may throw light upon a topic heretofore too little understood.

I am with due respt yr obt servt

JAS. MONROE.[1]

TO THE SECRETARY OF STATE.

PHILADELPHIA, July 31, 1797.

SIR,—I have received and attended to your official letter of the 24th & your private one of the 25th and shall now reply to both.

[1] On the same day, under separate cover, he again addressed the Secretary of State :—" Mr. Monroe presents his compliments to Colo. Pickering. He wishes to revise his correspondence in the Department of State & for that purpose will thank him for the assignment of a chamber in his office with the aid of a clerk for a few days, till he can run thro' it. He hopes an answer to this immediately if convenient." And on the 24th, again :—" Mr. Monroe requests to know of Colo Pickering whether and when he is to expect an answer to his letter of the 19th instant, as likewise to his note of this same date."

Permit me to premise that in any discussion which has or may take place between us, I have not nor shall I consider you in any other than your official character, having yet to learn what your pretentions are to confidence as an individual citizen, or the weight which your opinions ought to have as such, especially in the present case.

I think proper now to observe that when I called upon you for an explanation of the motives of the Administration in making this attack upon me it was not with a view to derive any information, for myself. I have been too long and too well acquainted with the political conduct, principles and views of the Administration, not to know what its motives were in that respect without any aid from you. Indeed knowing what my own conduct was, and what your views are, of which a series of facts and circumstances leave no doubt on my mind, I had no expectation of obtaining from you any thing like a candid answer. On the contrary I expected an evasive one, dealing in hints and innuendos, thrown out to divert the mind from the true object of inquiry. Nor have I been disappointed in my expectation, for I am persuaded that no impartial person can read your several letters upon this subject without entertaining the same opinion of them.[1]

[1] Pickering's reply: (July 24.) "SIR,—I have read attentively your letter of the 19th. instant, but discover in it no argument to induce a change of the opinion expressed to you in my letter of the 17th. I understand you to contend that every minister of the United States who is recalled, and every other public officer who is removed from office by the Executive of the United States, has a right to demand and be informed of the reasons and motives for the recall or

I expected even a disguise of the real motive and by every possible artifice which interest & ingenuity could suggest, because I knew the real motive could not be avowed: and such I am persuaded, will be

removal. In all cases, except that of the Judges, it has been established from the time of organizing the Government, that removals from office should depend on the pleasure of the Executive power: and you know that with the above exception, the commissions of all officers, civil and military, appointed by the President with the advice and consent of the Senate, explicitly declare that they hold their offices 'during the pleasure of the President of the U. States.' Hence, I conclude that a compliance with your request might form an improper, inconvenient and unwise precedent.

"In my letter of the 17th. I remarked that 'it is easy to conceive that the President of the United States may be possessed of facts and information which would not only justify but require the recall of a foreign minister, or the dismission of an officer at home, altho' they should not furnish ground for a legal investigation.' For instance: Communications might be received entitled to credit, but under restrictions which would not permit a disclosure: while to admit the principle you contend for, would be to shut the door to intelligence of infidelity in public officers; especially in diplomatic agents, who residing in foreign countries are removed from the immediate observation of their own government.

"Again, the want of confidence from whatever cause it may arise is a good reason for changing a diplomatic agent. If he is found on experience to be deficient in judgment, skill or diligence, or if circumstances inspire a reasonable doubt of the sincerity of his views, he cannot with prudence be continued: for it is essential that there should be full confidence in him. A diplomatic agent although his official communications have a fair appearance, may hold intimate and improper correspondences on political subjects, with men known to be hostile to the government he represents and whose actions tend to its subversion. He may even from mistaken views of the interests of his own country countenance and invite a conduct in another, derogatory from its dignity and injurious to those interests.

"The foregoing are cases in which the necessary confidence of a government must be abated or destroyed: and yet the circumstances must be such as could not prudently be brought to a formal discussion. More may be imagined to establish the principle, that in regard to various public officers it is essential that there should be a discretion to remove without an obligation to assign reasons. In the case of a diplomatic character they apply with extraordinary force.

"It is not true that removal from office necessarily implies actual misconduct. It may merely imply a want of ability. Or in respect to a minister, it

likewise the opinion of every impartial person, who, after reading your letters, traces the true motive, by a strict analysis of those facts and circumstances to which I allude.

I called upon you, in that spirit of candour which I have always observed towards the Administration, and others, to give you an opportunity to justify your conduct by your own arguments, and thereby place it in the light you wished it to stand. But this you have refused to do and for reasons the most extraordinary. In calling upon you then I have acted consistently with my own principles; and in refusing to comply you have taken a ground for which the Administration is responsible.

---

may imply only a change in political affairs which demands, or renders expedient for the public good, the substitution of a different character.

"Still another instance may be mentioned in which a demand like yours could not be complied with. A President of the United States may on good grounds, which he reserves to himself, remove a public officer previous to his retiring from office: in which case no officer in the succeeding administration could possibly assign the motives to the removal.

"These reasons I conceive are sufficient to justify the determination taken in my letter of the 17th. instant and render unnecessary a particular examination of your observations, or answer to your numerous questions. There is no disposition to treat you or any other man with injustice; but the Government cannot, for the sake of indulging your sensibility, sacrifice a great national principle.

"I will conclude with one remark. I agree with you that the President, in using that *pleasure* with which the Constitution has invested him for the removal of public officers, is bound to exercise it with discretion; but I deny that he is bound on every occasion to explain and justify his conduct to the individual removed from office: which beside other objections, would expose the Executive to perpetual altercations and controversies with the officers removed.

"In answer to your *note* of the 19th. instant, I inform you that the revision of your correspondence with the Department of State, which you request, may take place, with the aid of a clerk, when it shall suit your own convenience."

I forbear to discuss again the solidity of that principle which supposes every public officer of the United States (the judges excepted) a menial servant to the President: a principle which if established, banishes from the bosom of every such officer all regard for country; every noble and patriotic sentiment, and makes him dependant, not upon the integrity and propriety of his own conduct, but upon the personal favor of his superior. If such were the case what confidence could the people of America repose in any public functionary, since after he gets into office he sinks into a machine and ceases to be a watchful centinel over the public rights and interests. If such were the case the principles and practice of our free government are departed from, and the most slavish doctrines of the most slavish governments are introduced in their stead. And that such must be the case is obvious if the Executive can exercise the *discretion* you speak of, in the *pleasurable* manner you contend for, and without accounting for any of its acts, or the motives of them in any case to the party injured, the public, or any person whatever. This doctrine merits the attention of the people of America because it is a pernicious one. They have provided in the Constitution they have adopted, a suitable mode for the appointment of public officers, President and all liberally, and ought to be faithfully served. They have likewise provided for and wish a supervision of the superior over the inferior, but I trust it is their intention that the merits and character of the latter, should be estimated by the standard of his

integrity and public services, and not by the whim, caprice or any less worthy motive of those above him.

Nor shall I discuss the solidity of the principle, or the policy of the practice, you have adopted, of opening a door in your office for the reception of *spies* and *informers*, to whose communications it appears implicit faith is given, although their names, their characters, and even the purport of their denunciations are withheld. This practice is of great antiquity and is now in use in the despotic governments of Europe, but I hoped never to see it transplanted to this side of the Atlantic, especially in the degree to which you extend it. I dismiss these topics from view, because they are only incidental to the main object of enquiry, and involve principles, in which I am not interested, otherwise than in common with every other American Citizen. I have noticed them however that their tendency may be correctly understood.

But I think proper to make a few comments upon the hints & innuendos contained in your letter of the 24th and with a view to place them (and your conduct in making them) in their true light.

You suggest many cases, which provided they existed you say would justify the Executive in the removal and censure of a public Minister or other officer, such for example, as "a defect of judgment, skill or diligence; the want of confidence in him by the Administration, his holding improper correspondence with men known to be hostile to the government he represents and whose actions tend to its

subversion; his countenancing & inviting from a mistaken view of the interest of his own country, a conduct in another derogatory from and injurious to those interests &c." The existence of any of those cases you say would justify the removal of any public minister.

It is not my intention to contest with you abstract principles, because I will readily admit that if a public officer be *incompetent* to the duties of his office, whether it proceed from want of judgment, skill or diligence; if he be a *tool* or *partizan* of another country, against the *honor* and *interest* of his own, or being *associated* with *foreigners* of any description whatever, or with the *agents* or *creatures* of foreign powers, in promoting any plan of *conspiracy* against, *insurrection*, in or *disorganization* of his own country, that in any and every such case, such officer, whether he be employed at *home* or *abroad*, ought to be dismissed and disgraced, or rather severely punished, for disgrace upon those who are capable of committing such enormities is no punishment at all. But do you mean to apply any of those imputations to me? If so why not avow it and present your proof? Would it not be more manly so to do, than to deal in inuendos and insinuation, which without making you responsible for any charge, are perhaps intended to be understood as much? Or do you hope that we shall take these inuendos for facts, without your declaring them to be so, or producing any testimony to support them? This might perhaps promote your views in the present case, but would certainly not promote the cause of truth.

With respect to the clamour which is so incessantly raised (and of which you seem disposed to avail yourself in the present instance) of danger to the government from the exercise of freedom of opinion, in debate and writing, or of your insinuation that I had improper correspondence with any such persons, it is one which merits no reply. I have no correspondent in whom I repose confidence who has not given at least as strong proof of his attachment to good government and good order, and who is not as much interested, (perhaps much more so) in the preservation of those blessings as your self, or any of those who make the loudest clamour on that subject. Nor have I had a communication with any person or persons whilst employed abroad, or at any other time, of a public nature, but with a view to preserve the government and the union *entire;* always seeking to counteract the *disuniting* and *disorganizing* projects of those who *secretly* wish to subvert them. Do you know of any correspondence of mine exhibiting an opposite character or having an opposite tendency? If you do, produce it, and then we will discuss this point further. But till then I shall consider this inuendos like the others, as being thrown out only to obscure the subject and divert the mind from the true object of inquiry.

And upon the point of confidence between the Administration and myself, with respect to the period of its commencement and termination on both sides (if indeed it ever existed on theirs in the view I had reason to believe it did), with the cause which created

and destroyed it, I shall say but little at present, because it is a very important one, and requires to be more fully illustrated than the nature of this communication will admit of. This point involves in it the whole policy of the administration in my mission and recall, and will I think when fully understood tend essentially to illustrate the conduct, principles, and views of the Administration during this great and interesting crisis of human affairs. I think proper however to observe here, that whatever may be the opinion of the world, as to the merits to the administration in these respects, or of its conduct towards me through the whole of my mission, I can shew in the most satisfactory manner, that my political character and principles whilst a member of the American Senate, and Minister plenipotentiary of the United States with the French Republic, were always the same, and that in both stations and through every vicissitude of our affairs, it was the constant and laborious effort of my life, to preserve peace, harmony, and perfect amity between the two republics. I can shew too that these efforts had produced and were still producing a good effect, of which the administration had full knowledge, at the moment when it endeavoured to impress the publick with a belief that I had failed to do my duty. The Administration may perhaps find it hereafter expedient to explain, why I was invited to accept that mission and confided in at that time, and why that confidence was withdrawn afterwards. Were my political character and principles less known in the former stage than in the latter?

I presume not, for at the time when I was invited to accept this mission to the French Republic, I was a member of the Senate of the United States, and had acted with such decision upon all topics which came before that body, as to leave no doubt with any one, what my political principles were. Was there any particular object in view, depending anywhere at the former period, and which my appointment to the French Republic might then promote? And did the accomplishment of that object, produce a change in the policy of the Administration towards that republic, and of what nature was that object? I suggest these ideas here incidentally only, and without meaning to go fully into them.

So much I have thought proper to say in reply to the hints and inuendos contained in your letter of the 24th, and which I presume will fully explain your motives in making them. I will now proceed to another point of more importance in the present inquiry.

The change in the political situation of the United States, is too obvious and interesting not to attract the attention and excite the sensibility of those who are the least observant. A few years past the name of America was a venerable name, in the catalogue of nations. It commanded the respect and drew the sympathetic attention of all powers and of all men. Her commerce and her agriculture flourished hand in hand, and her people were happy. Beloved by her ancient friends and dreaded by her ancient foes, there was no cloud in the political horizon to darken her

prospects. A coalition of tyrants, it it true, whose avowed object it was to extirpate liberty from off the face of the globe, excited uneasiness for a while. Soon however the strong and potent arm of republicanism crushed its efforts and arrested the storm. But what a reverse has now taken place, and where will the catastrophe end? Our national character has not only already greatly declined, but we are upon the point of being involved in a war with our ancient and deserving ally, now become a republic after our example, and on the side of the remnants of that coalition, which was lately armed against the liberties of the world. Strange and almost incredible event indeed! By what means has this change been produced? Much has been said and done by the Administration, not simply to exculpate itself, from all blame in that respect, but to criminate others, and when called upon to state and substantiate its charges what has been the result? Let your letters shew.

Tis now time to close this subject and bring into view an important question which must be decided on. Has the Administration performed its duty to its country in these great concerns and acquitted itself to the public as it ought to have done? In my judgment it has not. Might we not have avoided this crisis, and all the evils which led to it, by other and obvious measures, more consistent with our national honor and interest, and without exposing ourselves to any real danger whatever? In my judgment we might. In this latter view the subject acquires new importance and is entitled to more particular attention.

You will readily perceive that our fellow-citizens in general are deeply interested in the several points in discussion between us, to whom it likewise belongs to estimate yours and my conduct; and I now think proper to inform you, that it is my intention to carry the subject before that enlightened and impartial tribunal, with all the lights which I possess. I am Sir, with due respect your most obedient servant,

JA.S MONROE.

TO TIMOTHY PICKERING.[1]

July 31, 1797.

Mr. Monroe requests Col. Pickering to inform his colleagues, that the evident impropriety of his having any communication with the administration otherwise than with the administration itself upon an act for which he holds the administration responsible, precludes his receiving from them as individual citizens any information whatever respecting the motives which governed them in the case referred to. He

[1] The above, the last entry in the official record book of Monroe's communications to the Secretary of State, was in response to the following: "Philadelphia, July 25, 1797:—Sir,—It has been deemed improper, for the reasons assigned in my official letters to attempt an official explanation of the reasons and motives which influenced the late President, in terminating your functions as minister plenipotentiary of the United States to the French Republic. This I shall not venture to do in any capacity. But it is in my power, as an individual citizen, to communicate the considerations which induced me last summer when called upon by the President in the line of my office to advise that this measure should be taken. If, in this form, my sentiments will give you any satisfaction and you desire to receive them, they shall be furnished.

"I have conversed with Mr. McHenry & Mr. Lee on this subject, and in the like form you may receive their sentiments respectively. Mr. Walcott being absent, I can say nothing in respect to him. I am, with due respect, Sir, your obt Servant. TIMOTHY PICKERING."

declines this with the greater pleasure because the course he finds it necessary to adopt for the examination & development of this subject generally, offers to those gentlemen as individual citizens an opportunity to communicate the motives of their conduct in that case to the community at large thro' which channel only can he attend to them.

TO THOMAS JEFFERSON.

ALBEMARLE, Septr., 5, 1797.

DEAR SIR,—I enclose the paper you were so good as to commit to my care yesterday. I have perused it with attention and pleasure, and think its contents ought to be used so as to produce to the publick the beneficial effect likely to result from them. The only doubt wch. I entertain is as to the channel into wch. it is proposed to put the paper, whether for example, a state legislature can interfere in a question between a citizen of the U. States & his representative in Congress. It may be urged that the establishmt. of the principle may lead to great extent, & make all the members of the national govt., by a code of crimes & punishmts. amenable to State tribunals. I suggest this for yr. consideration, to wch. I beg to add whether it wod. not be better to address it to the Congress? I will endeavor to see you as soon as possible. Sincerely I am

Yr. friend & servant

JAS. MONROE.

TO JAMES MADISON.

ALBEMARLE Septr 24 1797.

DEAR SIR,—Since my return I have devoted all the leisure time I have had in preparing my narrative for Mr. Bache but yet it is not finished. I suppose I have yet about a 3d to do which I hope to complete this week. The whole when completed will make a pamphlet of between thirty and forty pages. It has cost me much trouble on account of the necessity of observing great accuracy in facts, dates etc. Of the correspondence I have about 250 pages from Bache who is going on with the residue of the work at the rate of about 40 per week. The whole will I presume make a volume of near 400 pages. I wish you to come up in the course of the week when most convenient to you. We beg you also to make our best respects to Mrs. Madison and request her to accompany you. We will be very happy to see her provided she can submit to our accommodation of which you can give an account having an upper room in one of our offices, there being no additional room as you supposed. But we will do all in our power to make it tolerable. Our best respects to your father and family. Sincerely I am your friend and servant

JAS MONROE.

TO THOMAS JEFFERSON.

(Probably Oct. 15, 1797.)[1]

DEAR SIR,—I shall send Mr. Bache to-morrow about two thirds of my narrative and the residue by

[1] Endorsement by Jefferson. He replied October 25th. [Ford, VII., 177.]

the next post. I have nothing from him by the last wch. gives cause to apprehend either that his people or himself are sick of the yellow fever. It becomes necessary that I give the publication a title, and therefore I wish yr. opinion upon that point. I subjoin one wch. is subject to your correction. You mentioned some time since the propriety of my discussing the question whether a minister was that of his country or the admn. It is a plain one, but yet I will thank you to put on paper what occurs to you on it, any time within a day or two & send it me.

There are letters of the secry. of State wch. are omitted, such for example as that wch. I send, being rather a document accompanying one, than a letter. You will perceive it is lengthy and not applicable to the object of my publication. As also another respecting Mr. Fenwick containing a charge against him of wch. some notice is taken in one of mine by way of reply. It was omitted as a personal thing from motives of delicacy to him—wod. you publish both or either of these in the appendix?[1] Skipwith's report to me is omitted also: wod. you instruct Bache to publish it in the appendix the one I refer to is that published by Pickering with Mr. Adams's message to the last Session of Congress.

Yours respectfully,

JAS. MONROE.

Sunday—Octr. 1797.

"A View of the conduct of the admn. in the management of our foreign affairs for the year 1794, 5

[1] See Monroe's View, p. 406.

and 6 by an appeal to the official instructions & correspondence of James Monroe, late minister p: of the U. States to the French republick; to wch. is prefix'd an introductory narrative by the sd. James M."

or

"A view of the conduct of the Executive of the U. States in the management of the affrs. of those States with foreign powers for the years 1794 &c." as above.

TO THOMAS JEFFERSON.

(Nov. qu. 97.)[1]

DEAR SIR,—I have a letter from Mr. Bache with the printed documents complete all but a page or two & 12 pages of "the view &c." I enclose a note to correct by way of erratum an important omission of almost a line in the latter. He tells me the late expln. at Paris has produced a wonderful effect on our rascals at home, who he thinks were in harmony with those there. I have no doubt that the stronger the attack upon them is, hinting a belief of bribery (I mean by the members in debate) the better: for yet the republican cause has never had a chance. Be assured the people are ready to back those who go most forward. I repeat my best wishes for yr. happiness. Remember us to Mr. M. & Lady. Mr. Barnes has paid the money. If I can place funds I shall begin soon to trouble you abt. windows, &c. as my cabin castle goes on—

[not signed]

[1] Endorsement by Jefferson.

TO THOMAS JEFFERSON.

ALBEMARLE, Dec. 25, 1797.

DEAR SIR,—I have your favor of the 14, the only one since you left the State. Your other was I hope of no consequence, as it has probably undergone the inspection of those for whom not designed. In truth there is no confidence to be reposed in the fidelity of the post office.

I have two accounts to settle with the Department of State. The first respects my own salary, the second a remittance made of 6.000 dollars for the family of Fayette.

I had no other money entrusted to me for foreign officers: nor for any other purpose except a remittance of 120.000 dollars by a draft of Swan upon his house in favor of the Secretary of the Treasury to be remitted to our bankers in Holland. Upon this latter point an attempt was made to injure me in my absence, but abandoned when it was found that I could not be assailed. Still some injury was perhaps done me in the beginning in whispers. It therefore merits attention whether I ought not to take the subject up openly & pursue Mr. Wolcott, either to an explicit disavowal of calumnies, or to a conviction of being guilty of them, as I have the most ample proof of the rectitude & propriety of my own conduct in that respect. This is for your opinion.

I must request you will be so kind as settle for me the two first accounts viz: of my salary & that of the remittance for the family of La Fayette. I enclose you a note of both: as also of my advance for our

government as mentioned in my note to the bankers; which forms a third item or what may be called a 3d account.

Upon the account for salary a question may arise when my service ended. I have stated it to be on the first of January 1797, when I took my leave of the French Government, because till then I could not leave Paris, being ordered to take a formal leave, was at expense, & in some sort in public service. It may be urged it ought to end sooner, for example when I presented Mr. Pinckney to the Minister of Foreign Affairs on the 9th of December. I think otherwise but leave the affair to your judgment whether in case T. P. decides narrowly it is worth while to mention the affair to the President as from yourself. If my idea is allowed a balance will be due me on this head of between five and 600 dollars.

The next item is the remittance of 6000 dollars for the family of La Fayette—of whose application I add a particular statement. I will thank you to give it in to the Secretary or a copy of it as he prefers. If he settles it, you will be able if necessary to prove Mdme La Fayette's handwriting by Mr. Noailles her brother-in-law in Paris; as also Massons, tho' I presume the comparison with that in Paris's certificate will establish it. I am indifferent how he settles it, as I want to have nothing to do with the government or rather administration. But in case he makes me pay anything, & disallows any point, viz. either the proper depreciation—2d the 3000 $ or 3d the payments to Moubourg, I think it ought to be so arranged

that upon producing the proof he deems satisfactory I be repaid & likewise indemnified against the 9000 $.

The 3^{d} item respects my advances to the government for books, instruments, — to the cannon founder &c. Of this I have heretofore sent an account to the department of war requesting that so much might be credited me with the Department of State. This is a delicate point. Full power was given me by T. P. when in the Department of War to purchase what was proper & reference made to Colo. Vincent a respectable Engineer who built the fort on Governors Island New York. Together we made a most extensive & valuable collection of which there are but few like it in France—none here—I procured also a most reliable & skillful cannon founder with great difficulty —and my bill in favor of Mr. Jones, for the first part was paid with difficulty & myself not answered. The articles were got at $\frac{1}{3}^{d}$ their value; & if the Department complains or does not acknowledge the service gratefully I would take the whole on myself. I refer you to the account rendered that Department for the amount, lest that which I annex should be incorrect, since the former was made out in my office when all the vouchers were before the gentleman who made it.

I hope you will be able to understand these memoranda; it will be best for you to get a copy of what was sent the Department & get Mr. Beckly to make out a regular account for me.

I entered the 3^{d} Virginia regiment & served the campaign of 1776 in it. Was then appointed to L^{d}

Stirlings family where I served 1777. & 1778. I was known by all the officers to have served those three years: by Mr McHenry himself.

I trouble you much with my concerns—but you have the consolation to reflect that these are all. They are of infinite importance to me and therefore I beg your very particular attention to them. Believe me sincerely your friend & Servant

JAS. MONROE.

POLITICAL—PROJECT OF ADDRESS ON MY RETURN FROM FIRST MISSION.[1]

Several occasions have occurred since I returned among you which furnished me with opportunities like the present to address you my sentiments on a personal as well as the public affairs, but heretofore I have declined so doing from motives which it was not easy for me to surmount. At present however those motives cease to have any weight on my mind. On the contrary the same considerations which have hitherto admonished me to be silent, seem now to impose it on me as a duty to address you on both those topics.

It is well known to you that I was lately your representative with the French republic, & equally so that I was removed from that office by your administration in a manner to impress the world with a belief, so far as the administration could do it, that I had not discharged my duty to my country in that

[1] Indorsement by Monroe. Address to his constituents on the eve of his election to the Virginia Assembly.

office as I ought to have done. These facts are known to every one. It was only necessary to mention them, as introductory to some remarks which I now think proper to make on them.

As soon as I arrived in the U. S. I requested the administration to explain the motive of my recall. But this request so reasonable and just was refused. It is true I was referred to messrs. Pickering and his associates as *private men* for an explanation of the motives of their conduct in that respect as *public officers*. But as I had been injured by the *administration* I thought it became me to look to *it* only for reparation. Besides there were other considerations which satisfied me that the public were interested, in the discussion in which the administration had involved me. Under these impressions I deemed it my duty to publish and accordingly did publish a full view of whatever appertained to my mission to the French republic in a book entitled "A view &c"

If you will take the trouble to peruse that book you will be able to decide for yourselves whether I merited the censure bestowed on me by the administration, or deserved well of my country. You will likewise be able to judge of the conduct of the administration and to decide how far, it has acquitted itself to the publick thro' this crisis of affairs. To the light which that book contains I refer you for full information on these points. It is a book consisting of authentic documents and therefore one which cannot deceive you.

From other sources an infinitude of calumnies have

been propagated against me. There is scarce a paper in any quarter of the Union thro' which I have not been and am not daily calumniated. These attacks have yet obtained from me no answer or other notice than that of silent contempt. I have confided that my past life would sustain me against them especially where the charges are supported by no proof, and evidently dictated by malice and party spirit. I now notice them merely to declare to you, that in all cases where they derogate from my character, as a faithful representative of my country, they are calumnies and that if I have not otherwise noticed them heretofore it has proceeded solely from the contempt I have equally for the calumnies & the calumniators. I beg leave however, to assure you that nothing of this kind escapes my attention, and I not only acted as I ought to have done, but by the favor of Providence possess in general the means of showing it, to the satisfaction of an impartial public, so I shall not omit so to do in any case where it may be thought necessary by those whose opinions are worthy regard.

In returning among you to perform the duties I was forthwith entitled to the rights of a free citizen, among which that of speaking with freedom on public subjects is a very important one. But this I have hitherto declined from considerations of delicacy growing out of the causes above referred to. There is however a period beyond which this sentiment ceases to be a virtue; on the contrary when it degenerates into a vice. And in respect to myself this period seems to be arrived.

I have no right to shrink from the duties of a citizen in the line I formerly rendered them, especially when by so doing an occasion is furnished for improper deductions. and in resuming my former ground I have thought proper to state the cause of the reserve I have heretofore shown as also why I now resume it.

I think proper further to add that I had [no] agency in calling this meeting: that the invitation was given without my knowledge, and that I take part in it at present from the considerations which I have already mentioned.

TO THOMAS JEFFERSON.

ALB: Jany. 8, 1798.

DEAR SIR,—I have yours of the 27 Decr. for which I thank you.[1] I have made some comments on one item in it to a person who will probably see you.

I rejoice that the land tax is postponed, & hope when revised it will be under the auspices of those who have imposed on the publick the necessity of such an increase of their burden. It wod. be entertaining to see the friends of an accumulation of the debt, in principle, who have benefited by it also in practice, standing aloof or modestly opposing such a tax, whilst the economic part of the legislature who had opposed the accumulation of the debt, took the lead in providing the tax, and with it the odium attending the provision. This is not the natural course of things, nor wod. the effect be salutary.

[1] Ford's *Jefferson*, vii., 182.

Direct taxes must be laid but let them proceed from the quarter whence all mischief has proceeded.

The contest between a bare majority in the reps. agnst. the Senate & President, exhibits an interesting spectacle. The details you have been so kind as note give cause to hope the result will be on the right side. But still we have been going wrong so long, under circumstances too more favorable than the present, that we ought not to be too sanguine. I heartily wish the session was closed, for I expect no good from it. Indeed the only hope is to prevent harm.

You will have seen the resolutions of our Assembly upon the petition from our District. I think the resolutions sound and well drawn. I hope the measures of the District & Assembly will produce a good effect generally.

I write you only to acknowledge the receipt of yours: to tell you we are well—still on the no. side of the mountain and likely to be so on yr. return & to assure you that I am sir

Yr. friend & servant

JAS: MONROE.

I have requested Mr. D.[1] to confer with you whether my coming up will be useful in any view in respect to publick or private concerns.

You have seen the discovery of a plot I had laid for blowing up the admn. by correcting the misrepresentation of the English prints, in handing to my

[1] Representative John Dawson.

countrymen occasionally a sketch of the French Revolution to be printed in Bache's paper.[1] I really suspect the project alarmed them; for they have wished to monopolize the publick mind to themselves, wch. they cod. not do, but by keeping the press ignorant of their affrs. Yet the chief of the admn. deems it harmless to trample on the constitution, by riping its channel of a publick minister, & carry on an intrigue with the British govt.

TO THOMAS JEFFERSON.

RICHMOND, Jany. 27, 1798.

DEAR SIR,—I came here about 6 days past to use my endeavours to raise money to pay the expenses upon importation of my furniture. I have drawn on Mr. Barnes for 250 Dolrs. wch. I hope he will pay. I think the time is expired when you intimated the sum placed in his hands wod. become due. I hope to get thro' this heavy business without any very serious loss. Our Assembly adjourned two days since. Of a political nature, the resolutions on the Amherst petition &c. is the most important measure.[2] These are sound & good. The next in pt. of importance is the passage of a law wch. subjects the Printer of the

[1] Among the papers that formed the collection in the possession of Mrs. S. M. Gouverneur was "An Essay on the French Revolution: its Causes and its Effects on other Nations," by "Arutus."

[2] Madison refers to the Amherst Memorial on the Glebes and Churches as "the only test of party strength and so far deceptive as it confounds scrupulous Republicans with their adversaries." Virginia also took action at this session on the *alien and sedition laws*.

State to an annual election for his office. This will probably change the tone of that paper.[1]

It is surprising that only one copy of my book has yet reached this place. It wod. have been well to have had the quota intended for this place during the session. I hope Mr. Bache will still send them on, as there still remains sufficient curiosity to induce people to read them. I hear there is an attack made on it under the signature of Scipio — supposed to be Chs. Lee. I hope some one will refute him in the Gazette, as it may otherwise produce an ill effect. Is he supposed to be the author with you?[2]

The publick in this quarter are very anxious to hear the result of our mission to France. Shortly it must be known, unless purposely kept back by the admn.

I have thoughts of coming to this place to resume the practice of the law. What think you of it? Sincerely I am yr. friend & servant

JAS. MONROE.

I observe Mr. Scipio takes the ground of attack on me by way of rescuing the admn. from that of defence. I commit this to Mr. Giles who will supply my omissions.

TO DOCTOR ENOCH EDWARDS.

ALBEMARLE, VIRGA. Feby. 12, 1798.

DEAR SIR,—It has been circulated that whilst I was the representative of my country in France, I did

[1] Augustine Davis was printer at this period.

[2] Uriah Tracy of Connecticut.

not pay that attention & respect to our administration which I ought to have done. Two examples of these imputed departures from the line of propriety have been specified, the first whereof imports that I countenanced or rather encouraged Mr. Paine to write against our administration whilst he resided in my house: The second, that when at a public feast given by my countrymen at Paris on the anniversary of our Independence, at which the ministers of France and many other respectable characters were present, the President was given as a toast, I showed in strong terms my disapprobation of the measure. You were in Paris as well as I remember from the commencement of July 1795, till August 1796. (a short interval excepted) during which term I think I may venture to affirm, that I never entertained a company either of Foreigners or Americans, of which you were not a party. You were likewise a confidential repository of everything that passed of an interesting nature, which affected the public in general or myself personally, and I think witnessed not only my general external deportment, but knew correctly the interior movements of my mind, during that difficult period of our affairs. You therefore can well determine what my conduct was in reference to the imputation raised, particularly in the cases specified. Permit me then to request you will be so good, as state what you know on these topics, drawn from your own correct & impartial observation. Tis painful for me to ask your testimony in this case, nor should I under circumstances less delicate and

urgent than those are which exist. For little did I expect when I appealed to your judgement with the freedom which was due to an ancient friendship, and laid open the incidents which occurred, in the critical conjunctures to which I refer, that I should ever be compelled to call on you as a witness to retrace in your mind, what you saw and knew of my conduct on those occasions, to repell imputations of the kind in question. Believe me Sincerely Yours &c.

TO THOMAS JEFFERSON.

ALBEMARLE, Feby. 12, 1798.

DEAR SIR,—Mr. Fauchet's pamphlet was the last communication from you. Mine by Mr. Giles you doubtless have before this. We are here so barren of incident that we have nothing worthy yr. notice. We look to the admn. for the coloring we are to have of European or rather our affrs. with France, and we know enough of the admn. to know that it will be black or white according to circumstances. If for example the admn. thinks things ready for an immediate expln., a ground work for it will be laid before Congress. And if it thinks it better to practise upon the two countries, by keeping our agents in Paris another year, it will do so. In short I think it will take precisely that course w'ch. will be best calculated to promote a rupture with France & overthrow our own gov't. I have serious doubts whether it were not better the admn. sho'd. carry the question for arming &c, whether it were not better it should carry

all its measures & completely open its views to the publick—I mean the measures it avows. Till they are all carried, the trouble & losses of the publick are ascribed to those who defeat them, & perhaps eventually half the blame be laid to their account. But if the admn. carried its measures this wo'd. not be the case. One effect which permission to arm wo'd. produce I think wo'd. be this, the mass of *real* American merchants wo'd. conclude war was declared, & retire their ships. The British merchants (called American) & some bold adventurers of our own, hoping to profit by plunder especially of the Spaniards, wo'd. fit out large vessels, called merchant vessels, but w'ch. wo'd. in truth be privateers. Thus we sho'd. be at work at once, with both France & Spn. & the crisis be completely bro't. on whose object on one side wo'd. be to connect us with Engld. assimilate our gov't. to hers, & separate the western country from the union, objects which that side has long pursued with great system. I only state the idea of the adm'n. carrying its measures, being the best way to complete its overthrow, & save us from infinite trouble, as an hypothesis, in favor of which my opinion is not made up. Admitting, however, it wo'd. promote the cause of republican gov't., yet the majority ought to be very small, & the consequences of the measures fully and ably anticipated in debate by the minority. If it is deemed best to put off the crisis by negotiating another campaign, I conclude the question ab't. arming will be put off till the next session, & congress adjourn.

Nothing or very little is done to yr. house since you left it—& I suppose will not till you return. My cabins are yet to be seen only on paper & in the history of the neighbourhood nothing new has occurred. I am making a great effort for tobo., having already cleared ground enough to make 20,000 at least.

As yet not more than 3 copies of my *book* have reached Virga. that I know of. One at Richmond only when I was there. In consequence whereof it is industriously circulated that the work is suppressed with a train of inferences to wch. that idea leads. It was unfortunate Mr. B.[1] did not send a few trunks full to Richmond while the assembly was sitting. I stipulated with him that he shod. send it all over the continent as soon as published—and sell it cheap—I made no other stipulation—of the price I say nothing for I wished him if possible, without injury to the circulation, to make something by it. But greatly has he erred in not pushing the circulation. I earnestly hope he will do it now without delay. He ought to send 6 or 800 into this State at least.

I requested yr. opinion upon a private subject in my letter by Mr. Giles wch. I hope will not escape you.

TO THOMAS JEFFERSON.

ALB. Feby. 19, 1798.

DEAR SIR,—Your favor in answer to mine by Mr. Giles gives me much comfort. I had almost concluded that the admn. wod. carry the project for

[1] Mr. Bache.

arming our merchant vessels & thus involve us in war with France & Spain. That view of our affrs. was a disquieting one, but yet I was satisfied, as the war, in its consequences, wod. rouse the publick attention, that the result wod. be favorable to republican govt. & disgraceful to the admn. I was satisfied the people wod. shrink from it as from a pestalence, whereby the admn. wod. soon stand alone & become an object of publick scorn. But if we can get right without the aid of such a scourge, happy indeed will it be for us. And nothing is wanting to get us right but a knowledge of our affrs. among the people wch. nothing will so essentially contribute to diffuse as able, free, & comprehensive discussion on the part of the friends of republican govt. in the H. of R. I believe no admn. was ever before in such a dilemma, for if it carries its measures, it must be disgraced, & if it does not carry them, it must be so likewise. Mr. A.[1] may thank himself for this. You did every thing in yr. power to unite the people under his admn., & to give him in negotiation the aid of the republican character & interest to support the pretentions of our country & not without hazard to yr.self. But this he spurned with a degree of wantonness of wch. there is no example. He wod. have none in his ranks but tried men, whose political creed corresponded with his own. My opinion is if this measure is carried we have war, & if rejected, the tone of the French govt. will change, since the regard they bear for America, especially when thus pronounc'd through a constitutional

[1] Mr. Adams.

organ against war, will immediately operate. The H. of R. may, therefore, prevent war if it carries its measures & stands firm. But what is then the situation of the country? An unhappy one, it is true, but still better than in war. Its unhappiness, however, proceeds from the past misconduct of the admn., wch. seeking war and favoring the cause of the kings agnst. France, has so compromitted itself that it cannot become a useful organ of the publick sentiment, to extricate us from the dilemma into which it has brought us.

I think I shall enter into the practice of the law immediately & in that case move to Richmond. The organization of the courts is such that it is impossible for me to practise in the supr. cts. & reside in the country. The expense of attendance at Richmond, wod. more than make up for the difference between that of living there & here; to say nothing of the objection to leaving my family for six months in the year. I think with you that Scipio's performance is not a thing for a library & therefore I think it must have been drawn by T. P. or C. L.[1] It is quite in the admn. style, much low spleen & malice, & otherwise without force. If any thing is to be said Mr. D.[2] or some one of my friends on the ground had better do it, as they better know what is requisite & will suit. Giles, Nicholas, Brent & many others hold good pens, from whom it wod. come better than from me.

[1] Timothy Pickering or Charles Lee.
[2] Mr. Dawson.

TO THOMAS JEFFERSON.

Feby. 25, 1798, ALBEMARLE.

DEAR SIR,—The trial of Mr Lyon has taken much time & produc'd much irritation. I fear the division wch. took place there, will be carried to other objects. It seems to me as if the antagonist of Lyon was the aggressor & that it wod. have been equally politic and just for some cool person to have brot. forward a resolution censuring both.[1] But really we have been so long on the defensive, that we find it difficult to change the mode of warfare, even where a suitable occasion occurs. Certain it is the H. of Reps. as a body have lost much ground in the squabble, and if our recovery to old principles &c., is to be brot. abt., by *its* decline in the publick opinion, we are in the high road to a happy change.

I have great doubts as to my removal to Richmd., or in other words resuming the practice of the law, for upon the former depends the latter measure. In these courts I shod. make nothing at all—and at Richmd. I encur a heavy expense. And such is the present organizn. of the courts there, that I cannot follow them up, without residing there. Mr. D. will consult you upon all cases in wch. I am interested; and unfortunately it happens that I have some yet depending.

[1] On January 30, 1798, Samuel Sewell (Federalist) of Massachusetts introduced a resolution for expelling Matthew Lyon (Republican or Anti-Federalist) of Vermont for an assault upon Roger Griswold (Federalist) of Connecticut. Representative Lyon was a staunch supporter of Senator Blount of Tennessee, and this affair arose in connection with the Court of Impeachment formed against the latter. The proceedings alluded to by Monroe are contained in *Annals Fifth Congress*, vol. i., p. 982, *et seq.*

I think the discussion on the foreign intercourse bill will produce a good effect. The principle taken by the republicans is sound. If we had had no ministers abroad thro' this war, I am sure we shod. have had no dispute with France. And Mr. Adams's appointment of his son to the mission,[1] was a most reprehensible act. If you had appointed (being in his place) a near relation to such an office, the noise wch. the royalists wod. have made, wod. never have ceased. The inattention wch. the enemies of such a mission, enemies from principle too, have previously shewn to the measure is a proof of their extreme supineness, in cases where they ought to be active, & might be active with effect.

I enclose you a letter for Martin[2] wch. be so good as forward. Sincerely I am yr. friend & servt.

TO THOMAS JEFFERSON.

ALBEMARLE, March 26, 1798.

DEAR SIR,—Yours of the 8. was the last with which I was favd. from you. The resolution of the French govt. to seize British manufactures is a severe stroke on the dry-goods traders, and all connected with them wch. comprehends the great mass of our people. On my part I wish they were permanently prohibited by law since I am satisfied the effect wod. be salutary to the general interests of America. But this is not the general opinion, and in consequence the measure will

[1] Appointment of John Quincy Adams to Berlin.
[2] Senator Alexander Martin of North Carolina (?).

be considered as a new grievance, by those who suffer for the time in the current price of their produce. Still I think all these things must ultimately open the eyes of the people, if they are not the most stupid and likewise the most worthless of all people ever collected in the form of a nation. And this I think is not the case: for I consider their adherence to the measures wch. pass, as a proof of their virtue. The want of light is the great evil wch. overwhelms us & this will not be remedied till more pens are put to work.

It has occurred to me it wod. be proper for my narrative to be inserted in the gazettes. I shod. suppose Bache wod. not object to it since it wod. most probably promote his interest by promoting the sale of the book. He has to apprehend it will be written down by the host of scribblers who attack it, & thus the sale prevented. If he does not accede to this I shall be much surprised indeed.

I have repeatedly thought I wod. answer the flimsy, scurrilous papers of Scipio, but whenever I took up the subject it really laid me up with the headache. I cod. not answer them with my name & I shod. be known as well if I did not sign as if I did, from the precise tone of sentiment & stile wch. wod. be seen. And to defend my own book, might rather weaken than support it. It seems to me that the line of propriety on my part is to rest quiet & let calumny have its course. The book will remain & will be read in the course of 50 years if not sooner, and I think the facts it contains, will settle or contribute to settle, the opinion

of posterity in the character of the admn. however indifferent to it the present race may be. And it will be some consolation to me to hope on reasonable ground, that I shall contribute to do justice to them with posterity, since a gang of greater scoundrels never lived. We are to dance on their birth night, forsooth, and say they are great & good men, when we know they are little people. I think the spirit of that idle propensity is dying away & that the good sense of the people is breaking thro' the prejudice wch. has long chained them down.[1]

[1] The following memoranda and drafts are rough sketches of proposed answers to Scipio.

"War declared against France — an army of 20,000 men — W. at its head & all the monarchists in command — The funds in a great measure provided for its support.

"A concert by suitable agents with Britain & the old members of the coalition: and the prospect of a reunion of its parts for the same object.

"The whole commerce of America in that scale — N. Engld apparently united—with the preponderance in N Yk, Jersey, Maryld & Delaware, with strong parties in Pena, So Car: & Virga, & the other States viz: Kentucky, Tennessee No Car: & Georgia not absolutely united in the opposite policy.

Every office civil & military at home & abroad in their hands.

Most of the State Govrs, viz: those of New Engld. N. Yk, Jersey, Delaware, Virga in their scale & the others in no scale.

The purity of the views of the administration, & of W. unimpeached by the opposition in the H. of R., whilst the opposition is defamed and on the defensive in their personal characters: many of its leading members retired & others disposed to retire, & the people on that side in despondence."

DRAFT I:

"I have read with some attention a series of papers with the signature of Scipio containing an attack on the view which Mr M. has published to his fellow citizens of the conduct of the admn in the former affrs of the U. States during his mission to the French republick. In these papers the author has bestowed much abuse on Mr M., and otherwise criticised his conduct in the discharge of that important trust, in terms which comport neither with candour nor with justice. The object however of this attack, is as distinctly seen, by the manner of it, as if it was avowed. It is obvious the author endeavors, by

Mr. Walcott sent me a bill (in Paris) for 120,000 dolrs. on a house there, to be remitted when the amt. was recd. to Holland. The trust was laborious & difficult beyond measure, in the execution. Mr Skipwith took charge of it when recd. put it in boxes &c. to be forwarded when the order of the govt. was obtain'd wch. however was at first refused, & acted without compensation. His house was robbed and abt. £.1000 taken from it. He replac'd the sum at my request in expectation of being reimbursed on his draft on the Secry. of the Treasury. The money was

calumniating that gentn & misrepresenting facts to draw the publick attention from the important truths his book contains, & thereby throw a veil over the real causes which produced the present unhappy condition of our country. But so far as I have witnessed the effect of this attempt it has been quite a contrary one from that which the author proposed by it. It seems to have strengthened the opinion that was before entertained of the misconduct of the admn, & by means thereof rather to have prompted a spirit of enquiry which Mr M's publication occasioned,[1] than to have allayed it. Unhappy indeed is the lot of the author whose labours tend only to counteract his own views! And bad is the cause he defends, when discussion serves only to betray its weakness!

"I had read Mr M's book and formed an opinion of the political conduct and character of the admn before Scipio's essays reached me, and can assure him that this opinion has not been weakened by anything he has said against the book or its author. On the contrary I think I hasard but little in predicting that the same opinion will be formed on the same subject by all impartial persons, at home and abroad, who become possessed of the same lights, notwithstanding the efforts of Scipio & his associates to prevent it.

"The opinion I have thus formed of the political conduct and character of the admn, is simply this, that in the present war in which all the despots of Europe were united against France, in an effort to prevent the success of a revolution in that country in favor of liberty,[2] our admn inclined & actually favored the cause of those despots against that of liberty, and that to this policy & conduct of the admn, all the misfortunes of our country, in respect to the loss of national honor & interest, are to be attributed. I likewise think that in the execution of this policy much art, dissimulation & duplicity were practiced by the admn with design to mask its views from the world, particularly from the good people

[1] Crossed out in original.

[2] Crossed out in original.

at length forwarded, & arrived safe in Holland. Mr. Skipwith was possess'd of it (as above stated) 7 weeks. His bill on the Secretary was protested & I was calumniated as having kept the money back unnecessarily to speculate with. I possess a copy of my correspondence with the French govt., bankers in Holland &c. exhibiting in the clearest and most satisfactory manner that I did all in my power, was laborious, attentive &c. and of course was injured in any imputation to the contrary — and essentially so in the

of these States. And as this opinion was formed with mature deliberation, on a view of documents apparently authentic, being vouched by a gentleman of respectability, and not denied by the admn,[1] I beg leave to inform Scipio and his associates, that it will not be shaken until they destroy the credit otherwise due to those documents.

"I own I yielded with reluctance my belief to the full scope of that policy, which it is unhappily too evident, our Executive embraced, respecting those in whose hands the publick trust was deposited, I was disposed to think favorably of their views. Some of them, by their past conduct had merited my confidence, nor was it withdrawn without a pang. But the force of truth is not to be resisted, however strong the barriers which antient opinions and prejudices have raised against it. If the administration has abused its trust in the manner charged on it, as in my judgment it has, surely it merits the execration of the virtuous part of mankind in every country. To vindicate its conduct, under such circumstances is to become an accomplice in its guilt: to palliate its crime, is to betray an imbecility of character, and an accommodation in principle, which do not become a free and enlightened people.

That the kings of Europe should unite together to prevent a revolution in France in favor of liberty was not an extraordinary thing. They were prompted to it by motives sufficiently obvious, and all powerful in the breast of kings. Reason, philosophy, & commerce, had long sapped the foundation of the old feudal system, which began to totter everywhere. A spirit of liberty with a knowledge in the science of govt was growing up, and gaining ground, in a manner to menace the thrones of kings. But the revolution of America, by exhibiting an example of a people governing themselves, and thus ripening into fact those doctrines which were before treated only as the impracticable theories of philosophers & statesmen, produced a more serious effect, and excited a stronger apprehension among the friends of arbitrary power. As soon therefore as the French revolution began to unfold itself, did the alarm, among this description

[1] Crossed out in original.

protest of the bill. The truth is the whole transaction was managed by Jacob Van Staphorst one of our bankers, & I have his declaration to that effect with a history of the whole transaction. I see no ground in the documents more than in truth whereon the fairness and integrity of the transaction can be questioned, or how the Secry. can escape odium for his conduct. He says he protested the bill because Swan the drawer was to bear the expense & risk of transportation, altho' I had nothing to do with Mr. Swan and acted

of people, become general. There was not a monarch, nor a petty prince, nor a petty aristocrat, in any corner of Europe, who did not tremble for his safety. Soon too we heard of leagues, soon we saw a concert in council, the march of armies and other preparations which threatened the annihilation of France & the extirpation of liberty throughout the world. All this however was natural; it was expected by those who understood the nature of the crisis to which the world had arrived. It was distinctly perceived, that if a complete revolution took place in France in favor of liberty, it would diffuse itself everywhere: that soon not a tyrant would be left to oppress mankind in any civilized region of the globe. But that the admn of America, an admn appointed by the people from among themselves, intrusted with the management of their concerns as their servants, shod betray that trust, & side with the kings in such cause, at the hasard of our rights and expense of our interests was a thing which could not be expected. It was unnatural.

"This charge thus alledged against the administration is a serious one & ought to be answered. The crime imputed to it if committed, cannot be palliated. The people of America fought & bled for their liberties and they prize the acquisition as the most precious boon which providence can bestow on them. It was not merely an independence of the yoke of Britain which they contended for & atchieved. This indeed wod have been comparatively an ignoble object, since if they were to have masters, little imported it whether they were foreign or domestic. It was complete liberty personal as well as national they sought and acquired, nor will they part with either but with their lives. In vain therefore will Scipio endeavor to divert the publick attention from the true object of enquiry by an abuse of Mr M. and others, whilst a doubt remains on this point. He must meet the question or these doubts will stand confirmed."

DRAFT II:

"If we examine the measures of the administration by the standard of those well known & sound principles which ought to have been observed by it, in the

as a publick officer at the request of the Secry. He sent me at the same time an alternate set of bills on Hamburg to be resorted to in case those on Paris were not paid. We adhered to the latter under all the difficulties, because the Secry. in his letter told us, it was the preferable exchge. & because Mr. Van Staphorst was told by Dallarde, Swan's partner, the money was not provided there for the payment of them. This was considered as a proof I kept the money back to speculate. Mr. Skipwith has sent me a power to act for him, tho' I doubt whether I ought

conduct of our affrs at this great crisis of the world, we shall find there is not one of those principles, however simple & obvious, which have not been departed from and violated. Some attention is due to the subject in this view to give an adequate idea of the policy of the admn, since thereby only can it be seen how completely that policy has varied from the true interest and of course the true policy of the country.

"It was evident at the commencement of this war, that the crisis which produced it, was as applicable in principle to America as it was to France. It was known that the war itself was occasioned by the French revolution: that it was undertaken by the kings of Europe against France avowedly for the purpose of preventing the success of that revolution. This was shewn by the manifestoes of the different courts particularly that of G. Britain, and the proclamation of the commander in chief of their armies at the time. But the French revolution emanated from the American revolution. This likewise was a truth well known to every one. It was not therefore to be presumed that the views of the coalition would be answered by extirpating liberty in France only. It was fairly to be inferred that the coalesced powers, in case they succeeded in France, wod pursue her to America, her native clime, and endeavour to destroy her there also.

"This view of the designs of the coalition in regard to America does not derive its sanction from the general principles of the war on its part only. If we look back to the early occurrences of the war we shall find it is supported by facts also. The lapse of a few years has not yet erased from our memory, a recolection, that at that period we were assailed by G. Britain, without provocation, thro' the Indians on our frontiers, the Algerines in the mediteranean, and her own cruisers in Europe and the West Indies. Nor will the apologists for Britain be able to ascribe those outrages to any other motive.

"Perhaps the time is not remote when other lights will be thrown on this topic

not to consider the case as mine & present a petition to the Congress for reimbursement, opening in the petition the whole affr. & printing all the documents wch. are lengthy. It merits consideration what mode is to be taken, whether that course is the preferable one and in whose name. Or whether a suit shod. be brot. agnst. Walcott. I prefer the former & in my own name, if it is not presumable that the spirit of party might oppose & defeat it agnst. the force of the most positive demonstration that can be conceived. If they will not vote that it is dark when it is light the law

& the secrets of the conclave of Pilnitz [1] be better understood. Then too may the true cause of other phenomena be more fully & correctly explained, particularly why the command in the Belgic was given to the Duke of York, a rash and inexperienced youth, to say no more: why Prince Edward made a voyage thro' Canada into these States at the same time, and why L^d. Dorchester likewise then made many movements which did not argue much amity or a perfect reconciliation towards us in the bosom of the English King. Political measures are generally conducted with great secrecy in the cabinets of princes especially in that of S^t. James, yet sometimes enough escapes them, even where their projects are relinquished, to admonish the world what they really were.[2]

"Thus it appears that America had a part to act or rather a character to sustain in this war, which was distinctly marked as that of any of the parties to the war. The very nature of the crisis gave her a place in it without her seeking one. Nor co^d. she divest herself of its duties without loss & disgrace. If the war reached her, it became her to repel it with a strong arm; for she could not sacrifice the principles of her own revolution, which were those of genuine liberty, to the arbitrary encroachment of the European monarchs, nor could she abandon her territorial or other rights to their wanton usurpation, and if it was likely to reach her it became her to avert the danger by such precautions as a firm & provident policy alone co^d. suggest.

"It was nevertheless the duty of America to cherish peace & avoid the war if in her power. Nor was she likely to be forced into it if the fortune of France prevailed. It was only in the event of her overthrow that we were inevitably

[1] The declaration of the Pillnitz Convention (Leopold II., Fredk. William II. of Prussia, and Count d'Artois) formed the basis of the first coalition against the French Republic.

[2] The above paragraph crossed out in original.

wod. pass. It is to be observed that all the injury is done that can be by underhanded slanders, and thence decided whether opening the affr. on them in that publick manner by surprise wod. not be of some use. I have mentioned this also to Mr. Dawson, as likewise another irritating incident in wch. yr. counsel may be useful. If a petition is proper, I ought to know it as soon as possible & it shod. be hinted to whom I might write a letter to request to present it. If of our own State, it is a thing of course, but perhaps a member from another might be preferred.

to be driven to that extremity. The truth of this remark is likewise well established by facts; for as it is known that the outrages above referred to, which were committed by G. Britain on our national rights & interests, were committed after the fall of Toulon, when it seemed probable that France wod be overwhelmed, so it is equally well known that her policy changed as soon as Toulon was retaken.[1]

"In this state of things America had only to preserve a good understanding with France, to enable her to avail herself of the success of France so far as it could avail her, to avert the danger of the crisis, however great it might be, without hazard on her own part or any imputation on her national honor, but even in case France was successful, to improve the crisis itself into the means of advancing her interest & character in many and very essential respects. The importance of this truth cannot be too highly appreciated & ought therefore to be well understood.

"If for example the occurrences of the war proved adverse to France, the affairs of the coalition flourished and its scale seemed likely to preponderate, yet America wished still to withhold from the war for a while or even depend on the generosity of her quondam king & his allies for her liberty, what party would object to it? Not the coalesced powers for it was their interest to attack us singly, to strike only when the die seemed to be cast in their favor. If an objection came from any quarter it would be from France who might wish us to assist her in distress. But this most probably she would not do, if in other respects we were on good terms with her.

"Or in case the coalition or any of its members violated our neutral rights, trampled on the well known precepts of the law of nations, to the injury of France, & we chose to tolerate such injuries, what party would object to it? Not the coalition because the longer and more patiently we submitted to

[1] The above paragraph crossed out in original.

I saw a piece in Davis's paper signed Thrasebulus in wch. there are some just views of the subject— perhaps some of these might be published to advantage.

TO THOMAS JEFFERSON.

ALBEMARLE, April 8, 1798.

DEAR SIR,—Yrs. of the 27 ulto. was the last recd. Mr. A: will never surprise me by any act of the wild & extravagant kind. If he was in a sober and discreet

injuries, the greater wod be its profit, and the higher its gratification. If any party objected to it, it wod be France, but this she would be less apt to do, if otherwise we gave her no cause of complaint.

"Whilst on the other hand if France proved to be victorious the danger of the crisis was at an end — The coalition itself was at an end. The war was over & the cause of liberty triumphant. In this case, standing well with France, the storm had passed without troubling us.

"But it was not sufficient if France was successful that we shod escape the crisis without injury only. It was easy in that event to profit by it, and it was the duty of the admn to profit by it.[1]

"America had some points to adjust with Britain & Spain, the adjustment whereof had hitherto been delayed by those powers, and was likely to be delayed till some urgent occasion forced them to accommodate us. The former had withheld from us the possession of the western posts, refused payment for the negroes, & the latter had excluded us from the navigation of the Missisippi; injuries which had been severely felt and much complained of by the good people of these States. The present was therefore a very favorable occasion to press the adjustment of those points since it was impossible, after France began to preponderate, that an accommodation with our just demands, urged in a suitable manner, could be refused.

"A negotiation commenced with those powers, under such circumstances, was sure to be a grateful as well as a profitable business. The victories of France would furnish arguments of great force in aid of our just claims. The flight of the Duke of York thro' the Belgic, Batavia, and finally from the continent, abandoning the Dutch to their fate, after undertaking to defend them, was an humiliating condition for Engld to be reduced to. And the retreat of the Spaniards, after a series of defeats, into the heart of their country, toward

[1] All of this page crossed out in original.

manner to repair the breach between this country & France, & heal the wounds wch. his predecessor has given to the reputation & interest of his country I shod. be surprised. His passion is to outdo his predecessor & thus I expect to find no difference, between the knight of the present day and the former one, than what the superior violence of his passion may lead to. I still think it of little importance, how great soever the errors be into wch. they run. A question for war with France, or for measures leading to war, carried by a feeble majority agnst. the interest of the

their capital, was not a more favorable one. Standing on this ground, a wise and virtuous negotiator, supported by a wise and firm govt. might have atchieved great things. He might have elevated his country to the greatest height of fortune & renown, that any nation ever attained before. No sooner would a negotiation have been opened with those powers, than they would respectively have pushed it to a close, on our own terms; for in that state of things it became an object of importance with both to put America at repose. Then too, her good understanding with France was sure to furnish to each, a new and strong motive for yielding us such accommodation. Neutral powers always possess the means of rendering friendly offices to the parties at war; but in the present war, under such circumstances, no power wod. have been able to render such useful offices to all the parties to it, as America might have done. No power wod. have been so highly regarded by France as her sister republick. Nor wod. the friendship of any power have been so highly sought by the enemies of France, as wod. that of America, in such a situation. Thus then might[1] the administration, by a proper improvement of the crisis which had arrived, had made it the means not only of promoting a favorable adjustment of our own differences, with those powers which had injured her, but at the same time patronized the cause of liberty, and rendered in other respects the most useful & acceptable offices to humanity.

" In forming treaties with those powers, especially with Britain, there was but one point beyond the attainment of justice which it was our duty to observe, and that was to confine it strictly to the object of our injuries: upon no account to suffer it to transcend that limit, but thence might grow up a cause of strife with France the other party to the war. This a thousand considerations forbade because infinite mischief was sure to result from it. And other thousand considerations warned us that the result of the negotiation would be

[1] All of this page crossed out in original.

continent, & the judgment of the mercantile class of the community, & the wish & opinion of every other class, can have no other issue than of disgracing its authors. The further they plunge the sooner will the people recover the use of their intellects. Nor do I fear disunion, or anything of the kind, because the eastern people are as averse to it as we. It becomes our members to be calm & collected at this crisis; firm yet to say nothing wch. may hereafter in retrospect dishonor them, their state, or cause. If they act thus they will soon be looked up to by the eastern

scanned with a scrupulous eye by France in that respect. France was our ally, had aided us with men and money in our contest for liberty, and contributed essentially to the establishment of our independence. She had caught the principles of liberty in our cause and was now contending for them unaided by us. She had averted danger from us in the present controversy by her victories. She had even laid the foundation of our present successful negotiation. It wod therefore be frightful to humanity, for America to strike at or wound her in those treaties, or in either of them.

" Thus might America, by preserving a good understanding with France have rode triumphant thro' the storm & even profitted by it. But this was not the wish of the admn. For different views inspired its councils. Its object was to favor the cause of the kings, & for that purpose promote a rupture with France: an object it conceived at an early stage of the war and pursued afterwards with unwearied steadiness & zeal, as will be shewn in the sequel of these papers.

" The principle means possessed by the Executive capable of being applied to the above purpose is the controul vested in it by the constitution over our intercourse with foreign nations. But even this is not an unlimited power in its hands: for the President can appoint no minister to a foreign power without the advice & consent of the Senate, nor ratify any treaty without the advice & consent of ⅔ds of the Senate.

" What are the pretexts for going to war against France? to defend principles which we formally & unnecessarily abandoned in our treaty with Engld: To defend or protect the free sale of British manufactures in foreign countries? Is this a motive why we should arrange ourselves on the side of George the third the antient tyrant & the present real foe of these States? of what importance to us is the British manufacturer? or even the manufacturers of Europe? Have we not all the materials at home? Have [are] not an honest industrious & laborious people sufficiently skilled & able to manufacture for themselves?

people, who will abandon their own representatives. Let the issue be what it may, I mean as to the passage or rejection of Mr. A's propositions, I date from the present epoch, the decline & perhaps the ruin of the party.

I have just return'd from Staunton having attended the district court & resuming practice there. I shall do the same here & at Fredbg. I take a house in Richmond whither I repair from Fredbg. to attend the chy. &c. *Here* my domicile will be, my time will be divided between the places as professional duties require, since here I shall prefer to be.

Being without a horse Mr. Randolph was so kind as to lend me yours to ride to Staunton. He is restored in excellent order. We are well & desire to be affecy. remembered. Yr. friend & servt.

TO THOMAS JEFFERSON.

ALB: 14 April, 1798.

DEAR SIR, — I have yours of the 5 inst. The seal had no mark of violence on it. I shall attend to it for the future having no confidence in the admn., in any respect. The royalists are at a point wch. perplexes them & of course they will play a desperate game. Yet I hope the people will take alarm at their projects & forsake them, in wch. case, their fall is inevitable, but this requires temper as well as firmness

---

Is it dreaded that our productions will not find a vent or a sale if we buy not foreign manufactures? Those who inculcate this doctrine little know the value of the productions of their country."

in the republicans to turn the crisis to good acct. in favor of republican govt. These virtues I think will be displayed by the members of that party. Their attacks on you will not injure you. They impose the necessity of great caution agnst. casualties & false friends, but this you will have.

The affr. with M.[1] I hope is settled as it shod. be. It is indeed afflicting to be troubled with such an incident — but it only remains to settle it in the best possible manner & there let it rest. I commit whatever appertains to me to yrself & one or two others, to act on the spot as may be deemed eligible, & will by advice here take any step on my own part, that you think proper. The affr. of Skipwith will, of course, rest for a year if necessary, and when brot. forward it will be as you propose.

With respect to our countrymen's privateering in France, I wish to know how I cod. prevent it had I known it. It will not I presume be intimated that I was a party. The truth is I discountenanc'd it all in my power, having objected to having Mr. Vans of Massachusetts recognized as Consul upon an intimation that he was engaged in that business, as he will depose. But he is in France. I know not upon what ground they will calumniate me till I see it. I despise them & their calumnies more than I can express, & hope that justice will sooner or later overtake them. Yr. friend

[1] William Morris.

TO THOMAS JEFFERSON.

FREDBG. May 4, 1798.

DEAR SIR, — I have yours of 19 ulto. I rejoice that my affr. with M. is settled, since being a youth of good heart pushed on by others, I had no wish to injure him, and was satisfied he had none to injure me. In no view cod. I be benefited by a collision with him, & my only concern is respecting Giles, who I hope is satisfied with the paper furnished by Mr. Dawson. I will come up in abt. three weeks at furthest. I wod. immediately had I my papers here, but being forced back for them, & the chancery term on the point of commencing, I think it best to attend its earlier days & then proceed to Phil^{a}: being, however, resolved to do it sooner if invited so to do by yr.self or Mr. Dawson. I shall make no difficulty with Mr. Pickering as to the mode of settlement, by wch. I mean that I will *pay* now & claim the right of reimbursement when vouchers are produced; however unjust the claim for such a mode shall be.

The course of the admn. does not surprise me. It is a consistent one. I think, however, the admn. will overwhelm itself by its folly & madness. We are preparing for a war wch. does not exist, expending millions wch. will have no other effect than to bring it on, wch. cannot produce in any possible event when brot. on, any good & wod. produce much harm. Present accts. announce the commencemt. of a negotiation. What will be the effect of the late publicatn. upon that negotiation when it reaches France. Our ministers to have completed the business shod.

not have entered into the negotiation but withdrawn when their letter was written. To remain after that document was committed to their employers, a document wch. was sure to terminate the negotiation (for the publication was to be counted on) was to commit to hazard the otherwise successful project of the admn.; for every thing wch. afterwards turned up was likely to diminish the force of what they had already gained. To expose the iniquity of the project & the injury of the policy, the call shod. be continued for papers, upon every rumor of the arrival of new despatches.

A young man here of the name of Lewis, who studied the law with Mr. Minor, (not of the family with wh. you are acquainted by that name, yet of good connections) shewed me a letter he had written you respecting the attack of L. Martin on the statemt, given in yr. Notes, of the conduct of Congress toward the Indian Logan & his family. His motive in interfering is no other than that wch. his letter bespeaks, a great interest in whatever concerns yr. welfare, to promote wch. he is particularly stimulated by youthful arder and zeal in the cause of republn. govt. I thot. proper to let him forward the letter rather than prevent it, lest it might hurt his feelings, you will easily gratify his mind. Mr. Tyler, the judge, likewise informs me to be communicated to you, that he possesses the paper containing the same document, or such knowledge of the fact as will enable him to establish it. You had better write him on the subject.

Upon reflection as the cts. are sitting & my

absence might be hurtful, I have hinted to Mr. Dawson a possibility I may authorise him to adjust my acct. with T. P. without my attendance. I mention this to shew that my trip is a thing rather in contemplation than decided on.

TO THOMAS JEFFERSON.

FREDBG. May 14, 1798.

DEAR SIR,— Since my last I have been here attending this court, being detained by a cause of Colº Mercer's wch. was argued yesterday. I leave town to-day on my way home. Your letters if you have written me any since I came here are at Charlottesville, so that they cannot be answered till after my arrival there. After perusing Pickering's objections to my advances abroad, comprised in my acct., I can best determine whether it will be necessary for me to proceed to Philª or not. In consideration of the acct. alone I wod. much rather not go there, since I wod. rather lose much than leave it open, & even pay the same sum three times over, subject to rectification hereafter, than accept any thing as a condesention from the admn. or any of its members. But if there is any other object the case is altered, relative to wch. & the nature of the object, if any such there be, I shall doubtless be advised by yr. letters in Alb: when I arrive there. There is a meeting in town to-day of the merchants to address the President as other places have done Eastward of this approving his measures. There is a party in opposition of great respectability,

so that the issue is uncertain. I avoid the whole of this business, having nothing to do with it; I mention this circumstance lest being here, tho' on my duty of a nature too indispensable, having two causes to argue this day before I leave town, the contrary shod. be insinuated.

TO THOMAS JEFFERSON.

RICHMOND, June 1, 1798.

DEAR SIR,— I have yours of May 22d I now forward vouchers which will I presume remove all objection to every item in my account, the advance of £150 to Mobourg excepted. To this I will make an affidavit if that will be effective to obtain its admission, about which however I am not very anxious, if credit is taken for 3000 ** for which I have Mds La Fayettes receipt in specie. I heretofore intimated that I was not sure whether I had paid that or not, the receipt being the only evidence I had of it—which indeed is a good one—but yet having no memo. of it as I have of the others, creates a doubt. In taking credit I wish it to be noted that I reserve the right of explanation to La Fayette. Tis possible it may be paid by others for me, such as a banker &c. Tis possible I may have made it. Tis strange I should have the receipt if I had not paid it or become answerable for it.

I doubt not that I shall be attacked on this account if possible—any error however accidental will be seized for the purpose, if such takes place. but as the account is so short, and consists of so few items I hope it will not be possible. It will be proper to get

Otis's receipt of the period when I left the Senate, or rather of the time at which my pay ceased there. This is important for if my pay went on *after the 28. of May* in Senate it would be improper it should commence *then* in the other office. If I received pay for both offices if only for a day this would be a ground for an attack.

There are two items in the account viz. *1601 *2. 7 & 1134 — These appear to be allowed. If they are not let me hear from you, as it will be easy to establish them by documents I have; besides La Motte is in the country & can do it himself.

A short idea of the account is this—for my Compensation upon the payments made me in Europe by the bankers there would be due me 1335 florins upon the idea my service concluded on the 1st of Jany. deduct from that 24 days supposing it to end on the 6th of Decr, and subtracting the amount of such deduction from the above amount in florins would nearly strike a balance.

But I received from the Department of State 1505 dollars additional, against which set off all the arms, books, instruments &c Purrianes trip to London &c &c which will form about or nearly an equivalent.

Thus the amount remaining to be adjusted is the remittance for La Fayette upon which if the 150 £ advanced Mobourg is rejected, and no allowance is made for my note to Grammont (both of which points I am indifferent about especially the latter) I shall owe about 1000 or 1200 dollars for which sum the amount due me by Mr Bache & Mr Yard will be an

ample provision—I confine myself upon this occasion to this topic. In my next I will treat another. Yours &c.

I see no impropriety in your reading my memoranda to Pickering—taking his account & presenting to him the vouchers applicable to each item. I think the vouchers complete in every point that of the 150£ excepted.

TO THOMAS JEFFERSON.

June 1, 1798, RICHMOND.

DEAR SIR,— I have yours of 21 ulto. and very sincerely thank you for the interest you take in what concerns my welfare; of which indeed I have heretofore had so many proofs as long since to have ceased to make acknowledgments. The cause of irritation to wch. you allude is indeed a serious one, considering the station from whence it emanated: considering the person, only an object of contempt. I had seen the paper only the day before I got yr. letter, having lately arrived here. For the present, however, I cannot enter on the subject, or the other to wch I refer. I will do it by the post wch. departs the day after tomorrow. I beg of you to deliver the enclosed to Mr. Dawson & believe me yr. very affectionate friend & servant.

TO THOMAS JEFFERSON.

ALBEMARLE, June 16, 1798.

DEAR SIR,—The last communication of our Envoys was the last from you. By it nothing is more

obvious than that France intends not to make war on us, so that our admn. has the merit exclusively of precipitating us into that state; if it exists, or takes place hereafter, of wch. there can be little doubt, if there is any of its existence, at the present time. France has been roused against us by the admn., who have never lost a moment to keep her resentment at the height, by multiplying the causes of irritation daily, for otherwise the contempt she naturally has for the admn. & respect she naturally has for the nation, wod. wear it away & leave us in peace. But since the late acts of Congress the appeal is to another tribunal. The triumph of the admn. in the representative branch, cuts asunder the only remaining link between the two nations, & gives to the American people *war* wch. with the admn. they now invite. We are of course thrown upon England as a subaltern dependant power. If she prevails, we follow her, for sometime at least, as a feeble contemptible satellite: unless indeed the discovery of other views in the admn, than the mass of those who support its measures believe it has, shod. separate that mass from the admn. & give a new spring to republican councils: admitting that the American people are the people they were 20 years ago. And if France prevails we are then to experience that fate wch. she will prescribe. And what that will be it is very difficult to say. I believe it will be admitted there is not a noble sentiment in her councils to wch. we can appeal. Still if we wod. skulk off with the same ignominy we have borne thro' the whole of the war, 'tis possible we

might escape a terrible scourging. For that state, I think the former admn. wod. be disposed so to do, declaring at the same time, it meant nothing by the late acts beyond the limits of the strictest neutrality. But our present Viceroy wod. I think even in that state be for fighting, to make the last effort in favor of his book [1] that the state of the world wod. admit of, in the hope also of displaying himself to the same advantage in the field as a soldier, as he thinks he has done as a man of science in the republick of letters. It is really an astonishing spectacle to behold such a nation as this is, containing so many enlightened men, such a virtuous & entelligent yeomanry, such an active and grasping body of merchants, dandled about agnst. the obvious interest & principles of every class, as it were by an old woman! But such is the state of things that the infatuation or disorder of the nation must be managed with skill & gently, or it will grow worse & become incurable. And I am very much inclined to think that the patient must find out his own disorder, if not by himself, yet that he must think so: that the physician must not appear, or if at all by no means as a prominent character.

With respect to myself I am inclined to think I shod. take no step in consequence of the late attack of Adams, but remain as I am quiet. A further attack on me of the violent kind if not supported by proof cannot otherwise than injure them. Shod., however, the subject come before the H. of R. I am of opinion my friends shod. unite in a call for the

[1] *Defence of the Constitutions of Government of the United States.*

charge agnst. me &c. and promote otherwise so far as depends on them—in *any form most eligible* to the other party an inquiry. The late outrage if they do not go further, must appear intemperate & dishonorable. And if they go further, I think it will appear worse, for it will make the subject better understood by the people. For me to come forward will place me in some degree in the attitude of an assailant, I mean by calling on Adams in any form, and circumstanc'd as the countries are make me appear as fighting the cause of France agnst. my own country. It will be proper I think, that such a coloring to the adverse party, however unjustly in fact, shod. be avoided. This is an idea wch. I suggest for consideration only. We are taught to expect you home soon wch. personally I sincerely wish. You have doubtless weighed it in a publick view, and so far as it is likely to secure you personally the friendly salutations wch. a host of saints never fail to greet you with, do what you will. Believe me sincerely yr. friend & servant.

TO THOMAS JEFFERSON.

RICHMOND June 1798.

DEAR SIR,— I wrote you by the last post & enclosed a small packet for Mr. Davison wch. I hope was recd., as it respects my affrs. with the Department of State. Fortunately I found vouchers for all but one item: this, however, was a heavy one being £150 Strg. I hope the acct. will be closed & the fund assigned to Mr. D. prove adequate. I prefer to pay the

money & close the acct. receiving reimbursement hereafter when the voucher is produc'd rather than retain the money & let the acct. lie open.

As to my coming into the H. of R. it is difficult for me to decide how far it is an eligible measure at present. To my family it wod. be an injurious measure, for from former experience I know it wod. amount to an abandonment of my profession. The expectation that I shall enter again into publick life injures me every where at present: but this wod. be worse if I had actually embarked. Formerly I encountered the two-fold duties of lawyer & publick agent, but then I was younger, & the pressure of publick affrs. less urgent. So much as it respects my private interests. In a publick view I candidly own to you that I can conceive no possible benefit resulting from it, & possibly some injury may accrue. In this light the subject is to be contemplated first as it respects the publick & secondly myself. So far as I can judge of the present state of affrs. I rather think any appearance on that theatre wod. do [more] harm than good. There is a decided preponderance in the H. of R. agnst. our principles, & this is supported by the full weight of the Executive & two thirds of the Senate. The republican force in the H. of R. on wch. the publick mind rested while it furnished a hope of success, seems to be broken & in consequence the great bulk of the people in the Eastern quarter, or rather eastward of the Potomk., to have fallen in with the measures of the admn. thus it appears as if those councils wod. prevail till the course of publick events

shall produce a change. These may be of a foreign or domestic nature — The foreign, the issue of the contest between France & Engld — domestic, a more thorough disclosure of the views of the preponderating party than has yet been given, with an encreased pressure of distress, wch. the policy of that party must produce. I do not think that any change is to be expected before one or other of these causes begins to operate. I think also that the change must begin to the Eastward by the direct operation of these causes; and that it wod. even be impeded by a new pressure from the South especially this State. It is doubtful with me whether if the republican party had risen in a body when its opponent violated the rules of decorum (and appealed as it were to arms, attempting to intimidate the republican party) and told that opponant "if civil war is your object, proclaim it: we will consider what it becomes us to do in such a situation. If regular debate is yr. object, confine yr. selves to the rules of the House & the manners & language of gentln., but here we will not sit to bear such insolence & outrage." It is probable that an absolute secession wod. have produced less hatred than has occurred. It is plain that the whole session has exhibited a departure from the ordinary rules of proceeding observed by legislative bodies. But in truth it has exhibited a scene of violence on the one side & moderation on the other, and that the violent party has triumphed, its success being much owing to its violence. A course of proceeding so unusual with us & so irregular anywhere, will probably have

vibration in an opposite direction after awhile; but the time will not arrive till one or other of the above mentioned incidents shall occur. Indeed now all their measures are carried or will be soon, so that there wod. not be a ground whereon to make an effort for the publick interest, nor will there be until some change takes place in the state of affrs. To oppose their measures in the interval, will not only be ineffectual, but subject the opponant to imputations wch. tho' unjust, tend to lessen him in the publick opinion. Those who are on the theatre must do their duty, but I really think none who are opposed to present measures, especially myself, shod. press himself forward there. And with respect to myself I cannot perceive how my taking a seat in that branch wod. advance my interest or do away calumny. If my agency produc'd no effect, it wod. hurt my credit, not advance it. The Eastern people wod. not have clung so long to their representatives, if the *latter* had not been opposed by the southern. The more, therefore, that party is left to itself, the sooner will its ruin follow. If I have been injured, the greater the injury, and the more intemperate the aggressors, the better. I was attacked by the late President and censured. I replied to the denunciation, criminating the adverse party, to wch. they have not replied. Mr. A. has volunteered it agnst. me and taken in that respect the ground of his predecessor. But this, in truth, is no new ground for him, for altho' his speech to Congress at the extry. Session was not so harsh & illiberal as his late reply to the people of Lancaster, yet it was in principle the

same. His conduct towards me was equally hostile: he took all his measures before my arrival, tho' it was known I had sailed & wod. soon arrive, and altho' (if peace were his object or reconcilement of any kind) it was to be presumed, from the manner of my farewell from the French govt., that I cod. give useful counsel to promote that end. His language too was as harsh towards me as he cod. well make it, by indirect allusion, if such it cod. be called. Now, indeed, he has been more explicit, owing I presume to the dominant fortunes of his party, having a decided preponderance in the H. of Reps. as well as in the Senate, and according to appearances, if not in truth, the publick opinion on his side. It is possible this attack may be made as the forerunner to other measures agnst. me, such as an impeachmt. & trial by the Senate. Be the object what it may it becomes me to act with mature counsel in the course I take. A conflict with him & his party at the present time must be on terms disadvantageous to me: yet I am not afraid of it. I may have erred, and can myself name acts wch. as now advised, from prudential motives, I wod. have avoided but I was true to my country. I do not think a pursuit of me can benefit them with an impartial or even an honest publick; certainly it cannot with posterity. It may even injure them and the *more* according to the violence of it. There are two ways of acting, one by taking no notice of this outrage: the other by cabling on the author for an explanation of his motive. For the first it may be urged that as he has only echoed the calumny of his predecessor in a manner

as loose and vague as his predecessor urged it, that it does not become me to notice it, or any other attack not accompanied with a specific charge. For the second it may be urged that by not calling on him, I rather decline a revival of the controversy & leave the adversary in some sort in possession of the ground. The question shod. be examined not by the impression of the moment but mathematically, if I may so say, and the course taken wch. will bear the test hereafter when our heads are deposited below the surface. I am ready to take any course wch. you advise & suggest these points for consideration. As things stand am I a defendant or otherwise, and if so what the charge? Does not A's situation and age preclude the idea of making the affr. personal, and if it does can I approach him otherwise than to vindicate myself agnst. a charge? If their object is to push the affr. will they not be gratified that I agn. furnish them with a pretext? Will they not in that case push forward whether I do or not, & whether will it be better to meet than wait the attack? You will readily see that these questions turn on the effect which any measure may have on the publick mind, without much regard to the merits of the controversy. I enclose a piece taken from Davis's paper, wch. may merit attention; especially if written by a member or by order of the faction.[1]

[1] "For the Virginia Gazette — The Charge — It has been said both in France and America, that the President of the United States had grossly insulted the French Directory, in his speech to the extraordinary session of Congress. Mr. Adams, therefore, has thought proper, in his answer to the address from the people of Lancaster, to shew to his fellow citizens that the insult was from the

I do not know what they have to allege against me. That they had spies who caught up every incautious expression whilst I was there, and have been reinforced since by what cod. be gather'd, I make no doubt. Standing however on upright ground, and knowing that my conduct was useful to my country, I am ready if deemed advisable to repair immediately to Phil[a], and rush Mr. A. to an expln. Perhaps the discussion might be of real & essential publick utility, as the incident might be taken advantage of to tell some truths as well as develop some principles of importance at the present time. But of this you will be a better judge than myself.

With respect to my coming forward in the place referred to, or in the other branch, if a vacancy existed, is it not correct that in such an appeal as I have made my abstraction from *either* at the moment is in itself proper? and wod. it not be better for me to be brot. forward by the State at home, in the first

Directory to his government: His words are, 'To you, my fellow citizens, I will freely say, that the honor done, the publicity and solemnity given to the audience of leave to a *disgraced minister, recalled in displeasure for misconduct*, was a studied insult to the government of my country.' I remember when Mr. Monroe demanded of the Secretary of State the reasons why he was recalled, he was told that he could not have them officially, but the individuals of the departments were willing to give him their reasons for advising his recall; this did not suit his purpose; it was rejected with scorn. The charge against him is now officially and pointedly made by the highest authority, and in the most public manner. Will it not be incumbent then on Mr. Monroe, nay, is it not the duty of the house of representatives, to call for the proofs of the misconduct, in order, if it be established to impeach, or, if it be disproved, to acquit Mr. Monroe? Were I in his place, I certainly should demand a trial, and not remain passive under an imputation which, unless repelled, must lose him the esteem of honest men, and render him an outcast from all honorable society. But as to this he must judge for himself.—A FRIEND TO JUSTICE, May 26, 1798."

instance, if I come into publick life at all for the present. Having long served the State with fidelity, I think I have a just claim to attention from it under existing circumstances. But this is only for consideration. Consulting my own wish, it is to remain in tranquility at home : it is to seek peace which can be found there only. Yet it is possible if I remain at home it may be injurious to my good name calumniated as I am, and ever hurtful to a publick cause, and I am not one to withdraw myself in such a case or withold my services when duty calls for them in either line. Let me come forward where I may, I consider it as an abandonment of my profession, for really the true objects cannot be pursued at the same time.

With respect to my private affrs. they are sound in the main : I am only embarrassed by some debts attendant on my mission to France, and these I hope to be able to discharge by the sale of some of my western property, to accomplish which I have an agent now in that country. If I succeed in the sale I shall be at ease, provided it be an advantageous one, or even such as cannot be called a sacrifice. In any event a regard for private interest should not restrain me from giving up my profession & taking the other course, if you think it advisable, in regard to the considerations in question. I have thus thrown loosely before you what has occurred to me on this topic. I hope you will be able to understand what I have said tho' indeed I doubt it, as I have been repeatedly called off in the course of the morning. I shall leave

this in a day or two and return to Albemarle whither be pleased to address yr. reply. Believe me yr affectionate friend and servt.

P. S. My candid opinion is that the tone given or rather the evidence exhibited of publick opinion by addresses &c. is fallacious. The publick opinion in this State is decidedly otherwise if fairly taken.

July 16, 1798.

DEAR SIR: I shall see Mr. Strother and others and shall be able without compromitting you in a direct manner to forward Mercers views as well as if you were to write, and I shall be able also to satisfy Mercer of yr. good wishes and endeavours as fully as if you did write. I shall be back in a week. I send yr. books by the bearer. Yrs. affecy.

TO JAMES MADISON.

ALBEMARLE June 24, 1798.

DEAR SIR, — I lately recd a letter from Dr. Edwards to which this the inclosed is in reply. You will be so kind as to peruse & afterwards forward it. I rather think, everything considered, that contempt is the best notice that can be shown to the calumnies of Mr. Addison, — at least for the present, as also the dishonorable & unmanly attack of our insane President. I shod gain nothing by encountering with a subaltern, & a principal must lose by an attack on me if he does not furnish proof. Mr Adams has placed himself in a dilemma by this measure. If he proceeds

n his denunciation, my moderation as to what is past, will at least secure me a candid hearing in my defense, for such it then will be. And if he does not proceed, what he has done, will be considered as at least an intemperate and in respect to himself, to go no further, unmerited outrage. The preponderating party are in judgment before their constituents & be assured they will be strictly judged by many who now apparently approve their conduct. Every step they take, every speech they make will be noted & remembered hereafter. They wo^d be very glad, I think, for me to take the field as a dependant & thus draw the publick attention to me from themselves. But this I am clearly of opinion had better be avoided. Let them fight on, plunge our country inevitably in a war with France intimidate & traduce the republican party & promote civil discord at home as they are doing. This is not the way to merit or preserve the esteem of the good people of this country. The republican party in Congress have only by their firmness & wisdom to give the republican cause fair play before the people, & all might soon be right. As soon as the Eastern people find out that there is more at issue than a mere controversy between northern & southern members, the cure is half effected, & this will be found out, as soon as it is seen, that that controversy is as it were at an end.

I wish very much a detailed note from Dr. Edwards of all he knows in regard to me. It may perhaps be well hereafter to insert it in another edition of my book; my motive for seeking it with particular zeal

proceeds from his delicate state of health & his knowing several things which no one else knew ought of, as the message to Paine, his communication to Washington & his reply, both of wch. are very important circumstances. But the more detailed he is in other respects the more agreeable it will be, as he knew my situation & conduct better than any other person. Mr. Lee just arrived may perhaps be able to give information on some points. Himself and Genl Hull can I think state, they heard me say shortly after I purchased the house I sho^{d} offer it to the gov^{t} at the same price I gave for it. They walked with me up to the house at wh. time and place the conversation took place, when the Genl. replied "that he hoped I shou^{d} serve my country there many years & derive the emolument myself wh. he thought wo^{d} be considerable." By reminding him of this (I mean Lee & Hull too if an opportunity occurred) I think he wo^{d} remember it. I perceive Mr. Lee is in Philad^{a} He was much my friend in Paris—& would probably unite in a joint certificate with Hull to that effect, if deemed necessary on your part. Other communications might too be obtained from him to do me justice. You will know as well as myself upon what points testimony will be useful & avail yrself of it. On this head Dr Edwards will be able to give useful hints. If Mr. Lee or any one else gives a note or written reply to my queries, he had better not let it be known he has given such, or been applied to as the more these gentry (the administration) are kept in the dark of my views or intentions, the better. Whether they

ought to expect I am meditating a stroke at them or not, is a point I leave to you to decide. If it be deemed proper to leave them under that impression it will be always easy to make it, by a few ambiguous expressions on y^r^ part, since knowing they merit it, it will be easy to teach them to expect it. But to be more serious, is it not hard that I am to be thus worried by a set of unprincipled men? If they mean to put my own or their conduct more fully in issue before the world than it now is, let them do it. There is a direct way of doing it, and on their part the moment is a favorable one for the purpose. Let the President denounce; the House of Representatives impeach & the Senate try me. I will not shrink from the trial, but readily obey the summons, altho' my accusers and judges would be parties in the prosecution agñst me. I mention this merely to intimate that altho. I wo^d^ not provoke that issue, by any act of intemperance, that wo^d^ rouse the public resentment agnst me, yet I wish my friends to unite with promptitude, in any proposition having that tendency, confiding in the impartiality of the publick & posterity whose opinion alone I regard & to w^h^ I appeal.

TO THOMAS JEFFERSON.

ALBEMARLE Nov. 15, 1798.

DEAR SIR,—I intended to meet you at Fredericksburg. nor do I positively yet abandon the hope. Tho' the state of Mrs M's & my own health make it too doubtful to suffer the concerns you are so kind as

to undertake in our behalf to depend on it. I have a bad cold with a fever, & the symptoms are so like those I had, in an attack, at Paris that I fear the repitition of it. Tis possible I may get well without further pain. In which case especially if I omit anything which in your opinion may make further communication necessary, on being advised I will come down.

I return the account with the Department of State, I thought I had *here* a copy of the President's letter to the Directory, but cannot find it — hence I presume it was committed to Mr. Bache. I am not sure however that it is of any importance for the letter of the Secretary of State of the 9th of Sept. page 394 of my book seems to be *that* to which I attended. It contains the following passage, "I enclose your letter of recall addressed to the Directory of the French Republic & a copy thereof for your information of the manner in which the President wishes you to take leave of that body." By this it appears I was not recalled till the letter was presented to the Directory which it was not (tho' a copy was) till the 1st of Jany 1797.—Till then I was forced to remain in Paris in the style I had done before which I should not have done as well on account of the expense as other considerations of weight at the time. Besides as Genl P. was not received, suppose I had continued to perform the functions of minister, till the fact was made known to the President & his orders taken, would the administration have refused to pay me for such services? Had I been removed at my own

request, I should certainly have acted thus—nor can I suppose that any administration, other than an hostile one, would have refused the compensation, for the whole term. As it was, I remained, according to order, to present my letter of recall, & withdraw from the ground immediately afterwards; and it is my opinion, I ought to be paid up to that period. I hint these ideas for your consideration. Perhaps you may get something from them of use when put in your own words. If allowed it diminishes the sum 4 or 500 dollars; and if not allowed it ends my application on that head. Nor do I wish to be understood as pressing the allowance; I only want it placed on its merits to obtain it if just or according to principle, and if not to justify my supposing it so, and drawing the money from the hands of the bankers in Holland whereby I fall in debt to the Department of State.

Perhaps it would be well to alter the receipt according to a memo. enclosed — the first item viz: £150. advanced Marbourg stands right: but the 2d the 9000ll may be improperly construed, as it may possibly be inferred that I say I have paid that sum, being a sum extra and beyond the remittance sent me and only remit the vouchers, to establish it whereas the fact is I have not paid it or any part in that light. A strict attention to the receipt gives the proper construction. I had given that note to Grammont on the credit whereof he advanced Mde La Fayette the money; afterward I received the remittance, and had a right to pay Grammont & take up the note — I accordingly paid to the agents of the family all that

was sent me above that note, reserving the amount to answer it. Upon this Grammont informed me that if I paid the amount to the family he would consider it as paid to himself & give up the note. Whereupon I went on making payments to account of the family, to Masson, Marbourg &c as called on to do it. The £150 Sterling paid Marbourg was on that account, the settlement intended with Grammont was of the whole remittance to show I had paid the whole, including of course the note; in which case it was to be returned me. The fact was a balance still remained in my hands which puts me in debt to the Department of State, owing to the absence of those gentlemen when I left Paris: owing to which also my note still remains with them altho I had paid almost the whole of it. In the common course of legal transactions, I ought to retain against the Department of State, the amount of that note till I get it in; since the note would be considered as an advance. But what I wish is an indemnity against it only in case I ever be compelled to pay it. The presumption is it will be given up, to our next minister, when the intercourse is revived between the countries on the settlement of the public with the family. Tis possible you and Mr. Pickering understand the receipt, as I have explained the transaction. But if you do it is submitted whether it will not be better to make it so explicit as to prevent a misunderstanding by any one. You recollect also, I intimated, a doubt whether I had actually paid to Md La Fayette the sum of 3000$ for which I have her receipt and that I wished a note to be entered

reserving that item for future adjustment with her. I have made such an one as will answer. Tho' perhaps it might be more agreeable to the Secretary for you to annex after his receipt a special note to that effect. If so be so good as comply, & by no means omit to make *such* reservation in some form; for the question is not, whether I shall do justice or injustice to that family, of this there never would be a discussion between the family and myself. It is whether any error shall casually crop into the account, which will give an enemy an opportunity to cavil. The provision next claims attention. In the sale of my horses I have failed so as to raise the fund in time. I have sold several for tobo. payable next month, which answers for Pickett, but which may be diverted to the other object if necessary; for Pickett will wait my crop. I hope however to put the fund in your possession otherwise. Thinking my own horses would sell better, being finer & in better order, I send them down by the bearer (3 of them) to the care of our old friend Mr. Stanard requesting him to sell and place the money in your hands. The bearer goes first to my sisters (Mrs Buckners) whence he proceeds to town leaving the horses to avoid expense till he first sees you. If you approve the plan, and Mr. Stanard will be so kind as undertake the sale, you will then order them to him. The boy may wait, till they be sold, to bring them back in case they be not; unless indeed the sale there or elsewhere, to suit your purpose be certain; in which case he may be sent back immediately. I have two other horses which I would

also send down if they could be sold, of this Mr Stanard will advise. To supply the deficiency or even the whole sum if none be thus raised I have also written again to Mr. Yard who I hope will accomodate me. So much for this topic. I will proceed to another item in my general account with the administration.

I enclose you a copy of Dr Edwards letter to me, who promised to correct it. He will doubtless give you one corrected. You have a copy of Morris's and Burton's affidavits as also of Skipwiths respecting speculation. I likewise send you a copy of Eustace's letter after my recall. If any notice is taken of these calumnies it is submitted whether the following would not be a suitable mode.

"The following papers were transmitted last session by Mr. M. to a friend of his to enable that friend to expose several calumnies that were circulated against him relative to his conduct in France: they were shown at the time to several gentlemen, but it is deemed advisible to make them more generally known; with which view they are now submitted to the publick, by that friend whose name is with the printer and who will be responsible for the truth of the documents." Then annex the affidavits,[1] at the foot whereof add something to the following effect. "By these affidavits it is evident that Mr M. bought no property in France but the house in which he resided; by which too it is affirmed he derived but little emolu-

[1] "These were transmitted by Mr M. from France on an intimation he was culminated on that head. (Add this by way of note.)"

ment—at most not more than was sufficient to support him and his family the 5 winter *months* he remained abroad after his pay was withdrawn. Whether it would have been more suitable for him to have *rented*, and not *purchased* a house for his *accommodation*, is a question for others to decide. On this head however it is proper to observe that as Mr Morris had bought one (a fact well known before Mr. Monroe was appointed to succeed him) and no complaint was raised against him on that account, by the administration or others, it was reasonable to infer, it was an act which was not disapproved. It is also affirmed that Mr. Monroe declared to several of his acquaintances, when he bought the house, he would offer it to our government when he returned to America on the terms he bought it ;[1] from which design he was probably diverted on his return, as well by the manner of his recall, as the unhappy change which had taken place in the situation of the two countries. That Mr. Monroe should entertain the idea of offering the house to the public was not strange, when it is recollected that Mr John Adams (now President) when commissioner in Holland bought one at the Hague and converted it to publick use.[2] It is the less surprising when it is recollected, that the French government offered to Mr Monroe as representative of the United States, a house to be provided by, and at the expense, of the French nation. For considering the alliance

[1] "Inquire of this of Dr Edwards tho I believe many can prove."

[2] "I suspect this transaction is a questionable one. T is probable he was authorized to hold it as publick after it was bought."

and sentiment and amicable relations between the two countries, which were much increased by the French Revolution, whereby we were enabled to greet France as a sister republick,[1] it was fair to presume, if our administration did not accept the offer of a house made by the French government to our minister, and reciprocate the same act with the minister of France in Philadelphia, it would nevertheless be disposed to give to that government a proof of its sincere desire to perpetuate the then subsisting relations between the two nations, by purchasing one itself."[2]

Then add the correspondence with Dr. Edwards; of my letter he will give you a copy.

Lastly add something like the following—"Of late an attack has been made on Mr. Monroe by a writer under the signature of 'An American Soldier.' This is attributed to Gen Eustace; but it is presumed without reason, as the General seized the moment of Mr. Monroe's recall to give him the following testimonial of his high & unqualified approbation of his public conduct as of his personal respect and esteem. The same friend of Mr. M. vouches likewise for the authenticity of this letter.

Then add the letter—

I have always thought some notice of these attacks would be proper, but as it was probable in the success of that party some more violent proceeding against me would be taken up, I thought it advisable to exhibit my proofs on the defensive only in that state.

[1] "See Mr President Washington's reply to Mr Adet on presenting the flag."

[2] "Perhaps the publication of the correspondence would be useful viz. letter of committee and reply—It would be new to the public."

If that is the design, which the President's speech will fully show or furnish ground for fair conjecture, I think it will still be best to hold back the papers. But if the tide is really on the turn then the publication may have a good effect. You will judge of this and act accordingly. Mr. Beckeley has a copy of Eustace's letter. You will see if he has done anything & regard it.

I had intended to make some notes on the change of our affairs with France, and the opportunity it affords to the republican party to come forward and support peace and with it their principles, but seeing the address of Spotsylvania and your reply I find there is little occasion for it. Added to which I am at present little able to do it. The idea is well taken up in those papers.

If I can add anything I will do it by post tomorrow.

With respect to the price of these horses sent down I can only say they cost me—viz. the sorrel 200 dolls. the large bay 180. the other about £45.—but I would rather take 450 for the three or even 400. than not furnish you with some money Sincerely &c

I leave Mr. Stanards letter open for your perusal —If the horses are sold be pleased send me ten or 15 dollars by the bearer—I do not know whether it was intended I should sign the receipts sent me for Pickering. It is not the kind of paper whereon to sign one's name yet I have done it as well as I could—Perhaps these were sent me only to show how the account was settled. If so others will be signed by me or you for me.

TO THOMAS JEFFERSON.

ALBEMARLE, Nov. 16, 1798.

DEAR SIR,—I perceive the Secretary of State gives me credit for above 300 dollars "To account of the return of the Secretary Mr Prevost from france." You will recollect I did not charge this in my account and perceiving it is allowed me I feel some embarrassment from which you will easily relieve me. In the course of the present year (on application) I certified to Mr. Prevost that he had received from me nothing to defray his expenses home; of course he had a right to draw whatever he was allowed from that Department himself on that account. But this allowance of the Secretary to me will contradict in principle the right of his demand on that Department. What I wish therefor is that you either have it in the hands of the Secretary for him; or adjusting the account write him that you have the money subject to his draft, explaining that I did not charge it, but that it was included by the Secretary to close the account with me, and if you leave it for him with the Secretary be so good as likewise to apprize him of that as of the reason. You will write him as of your own accord, intimating that as my friend you had adjusted the account for me, and this being an incident interesting to him, you apprized him how it stood. In confidence I am more in advance to him than this sum—but that is nothing to the purpose. He is a young man without fortune and may want money and I shall never draw it from him, while he has use for it. The horses and my letter to Mr Yard will I hope

furnish the means—if not let me know, and I will furnish the balance, by sale of as much of my crop as will do.

I see the late Declarations of the French government have greatly changed the state of affairs, and improved the situation of the republican party. The improvement will be seen either in a direct change of policy in the President, adopting conciliatory measures, lessening expenses at home, promoting the dismission of the military for a repeal of unconstitutional & obnoxious laws; in which case we get what we want or by his taking an opposite course, in which case his reputation is gone, for the people will then understand him. If he takes the latter course he must furnish a motive for it. France has never declared war on this country, nor given any reason to expect she would. Now she declares she will not. The not receiving Mr. P. was an act of passion arising from a supposed injury. The not receiving him & the other gentlemen afterwards publicly, not even a cause for complaint — for generally the ministers of Foreign countries were not formally received till after treaties were formed. The door of the minister of Foreign Affairs was open to them to treat, tho' it is known that two of the gentlemen were not so well liked there as the 3^{d} — and had they sent them away it was no cause for war, for it is practiced by all governments, to rid themselves of foreign agents whom they dislike. This is noticed not to censure those gentlemen but to examine the temper of the French government in which no disposition for war is

shown — finally the acts of congress & of the administration have driven France into the necessity of declaring explicitly whether she means war or peace, for we have put that issue before her, by measures which amount to perhaps a Declaration on our part — a much more pointed one than is usually made in modern times. In this state she has made a solemn pause and declared she will not war on the American people unless driven to it by fatal necessity. Here then is a ground on which the American people may with safety rest. It is a ground on which the administration and its friends might rest with honor. They might say that the temper of France was produced by their firmness & that of our people ; they might deny that any sentiment of friendship for the States mingled itself in the councils of France, or contributed to produce this decision, and closing the peace of our country, submit it to the impartial world & posterity, to decide on the motives which governed us & them.

But after this solemn declaration of France in favour of peace, after repeated overtures to treat &c — what do we get from the administration? Do we perceive anything like a similar temper manifested on its part? Do we not on the contrary perceive a decided disposition to promote war? We are told of the insincerity of France and that this is done to delude us. But this is not warranted by facts or circumstances. What was the object of the French revolution? whence did it emanate? Who were the people who enlisted & warred against France? Were they a free republican

people like us? Who are those whom she has conquered? Prussia, The Emperor &c. But Venice is mentioned — and what was Venice? Much mourning is raised on her account — loud clamor heard. But if there was a distrusted & horrible despotism on earth it was there. But tis said she was the friend of France. She was the open and avowed foe as all the other despotisms were. Her intrigues with the Emperor &c. In warring on those nations & overthrowing their governments she wars on her enemies: but in warring on America she wars on a free people — a people from whom it is her boast to have caught the spirit of Liberty which is now spreading thro' Europe and this world. If then we regard the spirit of her revolution — of her conduct towards other nations — or toward us, & our situation — a motive to believe her — what are we to get by the war? No profit in any view — but much loss — increased taxes — a standing army &c. We want no acquisition of territory. We have enough at present. We may subserve the views of England but not of these States — of Kings, but not of the people.

I am surprised that the principle of the French has not been pressed by the republican party as an argument to explain the views of France — to demonstrate she does not mean war against us — as likewise as an argument why we, if we are true to our own principles, should decline war on her above all nations. This would put the cause fairly at issue & would furnish ground for an offensive incursion on our enemies territory. Adams might be wounded much thro' this

channel — his book (if necessary to go back so far) and replies to addresses expose him greatly. It is optional with the republican party to act with the best of causes on the defensive and leave their integrity suspected, if not be branded as traitors — or put the other party on the defensive & overwhelm it. And two or three characters who would come forward with decision would do this — for be assured whenever a pressure is made the enemy take to their heels. But if a contest is necessary (as it will be if the administration continues its present policy) then tis better to attack than to be attacked. It is also safer. I do not look for such a tone from those who have thitherto been most active on our side. They have a marked character of *extreme moderation* which for consistency sake renders them unfit for it. Besides it would not have the same effect, as from others heretofore less prominent — at the same time I think they are good troops who would yield useful aid. I think an important opportunity presents itself to you to render service which I hope you will avail yourself of. To prove that France wants nothing of us I need only refer you to the declaration of the members of the Directory to see that they would not have Louisiana nor the Floridas from Spain but to cede them to us — that they did not want Canada for themselves— as appears by my book, if its authority is admitted, or reference can be made to it without advantage. With respect to any unfriendly insinuations against me, and the part I ought to take in such cases (I mean in Congress) I submit it to you to act for me if such

occur as you think fit. If I were present there would be no difficulty; the presumption is there would be no such insinuations. If there were my privilege would be as great as that of the assailant: and the public opinion of the outrages against me justify a strong and bold language; or measures if it degenerates into a personal quarrel. Being absent, a reply in the mode we were speaking of, might be construed into an attempt to awe the house and abridge the freedom of debate, & thus injure me. I only hint this for your consideration. If as strong intimations were made against Messrs. A — Pickering & Co. by the republican members as were made against me by the others, the battle would be drawn — but it is by the former shrinking that I am or may be put into a dilemma, of the most mean and contemptible kind too, that of a personal quarrel, such as Harper, Otis &c. or avoiding it, resting on my past reputation in the army, for bravery &c to exempt me from improper imputations. You will weigh these things and act nevertheless as you and my other friends think advisable, if such cases arise. If any such solemn declaration is made on my part, it should be done with great care and circumspection — noting the words & handing them to the public as delivered declaring it did not apply to what had passed particularly nor was it meant to derogate from the right of the house, or abridge freedom of inquiry into the conduct of public men — but was meant to repell attack against me, and vindicate my conduct against aspersion from any and every quarter. That I stood on firm ground and

asked favors from none — that I respected the legislature of my country but did not fear it: for having performed my duty to my country faithfully and as I presumed usefully (supposing the preservation of peace on honorable terms & by honorable means an useful act) I stood above any emotion of fear. Something of this kind if an occasion calls for it, done in a firm and decided manner may be useful.

My servant being detained today has enabled me to trouble you with another long letter. I hope you will be able to read it. Let me hear from you without delay & often. I sincerely wish you well. If Mr. Jones is with you tell him we look for him daily.

TO THOMAS JEFFERSON.

ALBEMARLE Jany. 26, 1799.

DEAR SIR,—Yours of the 3d reached me yesterday as did likewise that of Dr. Bache mentioned in yours. I shall do every thing in my power to fulfill the Dr.'s. wishes & hope to procure him a settlement in our neighbourhood, such as he will approve. The plan you suggest for negotiation with the parties having land for sale is judicious & shall be followed. Tho' I hear the price of each will be high & and that it will not be easy to lessen it with either. I wish also that Brynham cod. be added to our circle, as the acquisition of him wod. be important in many respects, nor shall I fail to invite him by such services as I can render. The enterprise of Logan with its consequences will not hurt any in his political sentiments,

he attempt to make it instrumental to that end
ve its advantages.[1] The ill humour shewn by
d and all the members of the opposite party,
nterference forbidden by no law, prompted by
lent motives & wch. was useful to the publick,

llowing note respecting Doctor Logan's European mission is to be
ng Monroe's various notes and memoranda: "In revolving in my
ffairs of this paragraph of Dr Logan it has occurred to me, the Doc-
nage it so as to make his trip useful to the republican cause in Amer-
y telling the truth, or rather the whole truth. He will of course deny
y letter &c to France from you. Still the inquiry will be why go there
soon? Why confer with the Directory of France? This will not
but yet it will him, & those connected or supposed to be connected,
This zeal in the cause is known, and his confidence with the Directory
ize a belief it was on public subjects connected with America. If he
plan of denying altogether which he certainly may do on every possi-
of accusation, it seems as if he would saddle himself, if not his friends
nputation of an intrigue, and give to his enemies the benefit of his
offices to his country; for I presume he advised peace & that his ad-
tended to. Suppose on the other hand he was to state that he verily
our executive intended to involve our country in a war with France
patches from our envoys satisfied him of this, being a part of which
e doubt before — that he was anxious to prevent that calamity to his
to mankind at the present crisis, and presuming there were many in
knew him in America, who would of course make his principles &c
he French Government, he took the trip of his own accord to use
efforts to secure peace to his country. It seems if he took this
if good would result from it, since then it will be difficult to attack
se without attacking his *motive*, which was *peace*. There will I pre-
ny facts, well known, to put beyond all doubt the good effect of his
ld like to have called it mission for a heavenly one it seems to have
as the change of policy in France after his arrival, his bringing with
vorable documents &c. If he takes this ground it merits considera-
r he ought to do it before the meeting of congress or after; relative
is to be observed there can be no doubt that the President, if he
an notice in his speech the French trip, in such manner as to hurt
e will do it. This I think he will do if he deems it politic, whether
comes forward or not. Perhaps he may propose a law to prevent
rance or intriguing as he will call it, between the citizens of the
es & foreign governments. This would put the republican party on
e without any fact from the Doctor to suggest it. His friends would
mention him because he had not come forward."

is a circumstance wch. will tend to shew the views of that party. The longer, therefore, the debate is kept up on the resolution, and the greater the zeal of its friends the better the effect, since at best it is legislating on an abstract principle, agnst. the force of a precedent shewing the folly of the law. I recd. by the post a letter of wch. I subjoin a copy, because as I recd. & opened several at the same time, I cannot say whether it came enclosed, or otherwise. If in the latter mode as it had inscribed on the seal "Directoire Executif". it may have attracted the attention of those in office & become the subject of animadvertion. If this shod. be the case you will use it as you think fit. We are all well & unite in wishes for yr. welfare.

TO JAMES MADISON.

ALBEMARLE July 13, 1799.

DEAR SIR,—Have you ever rec^{d} y^{r} wine from Mr. Yard? Presuming you had not, I intimated in a letter by Dr Bache to Mr. Y^{d} requesting mine to be forwarded to the care of Govr Jeff^{n}, Richmond, that if yours had not already been I doubted not it would be agreeable to you, it should be by the same route. I hope we shall receive it, since to me it will be a most acceptable accommodation having had none of any kind for a long time; and if it is really of the quality we are taught to expect of it, it will also be of importance to you. If you have not written for it (as you probably did by Dr Bache as I desired him to mention the subject to you) had you not better yet do it?

The period approaches when the assumsit in favor of Mr. Brooke becomes due, being sometime this fall. I stand engaged in a judgment on a forthcoming bond for £600. with interest from July last till paid; the judgment being endorsed with the delay of execution from the term (as well as I recollect of 18 months, though I am not certain it was entered so late as July). Colonel Mercer had promised £75. as likewise had you. This with a like sum from me & two or three other friends, it was supposed at Fredericksburg where the idea of aiding him thus occurred wo[d] relieve him. But when I went to Richmond I found it would take a much greater sum to effect that object. In consequence we resolved not to abandon it, tho' the burden was heavier than we expected. Colo. Minor & Larkin Smith took two other debts on themselves of less amount and this fell to my lot, aided by the engagement of Colo. W. Nicholas for £100. by the expectation you and Colo. Mercer would bear the additional charge each of £25. making £100. also, and by the hope that Francis Walker and John Nicholas of Stafford would each take on himself a like sum. Thus the matter has since stood and the time approaches when I am to be subject to an expense which admits of no delay. There is of course no obligation of any kind in you or Colo. Mercer to pay more than the first mentioned sum nor should I propose it (especially under existing circumstances) if I did not think you would do it with pleasure. For in fact bound as I am (altho. I am persuaded any of the parties who were in contemplation at the time had they been in

the situation I was, a witness of his distress, would have done the same), it seems rather to be soliciting aid to myself than to a common friend. You will observe if Mr. J. N. and Mr. W. pay the sums allotted them, it will leave me the equal sum of £100 and interest on the whole sum since the judgm. W. Nicholas may probably mention it to them as I think he will, but for the reason suggested I shall not.

Can not you come up & stay a day or two with us? Your skill in architecture & farming wo^d^ be of great use to me at present. I am much engaged in both & take more interest, especially in the latter, tho' under discouraging circumstances, than at any former time. We promise to do everything in our power to make a like visit to Mrs. Madison agreeable, to whom we beg our best regards as we also do to the old gentl. & Lady. Sincerely I am your friend and servant.

TO JAMES MADISON.

ALBEMARLE Sep^t^ 20. 1799—

DEAR SIR,—Mr Alex^r^ Steuart brother of Arch^d^ has desired me to make known to you his pretentions to a seat in our council with a view to y^r^ friendly aid in obtaining it. It is impossible to refuse saying of him what I think especially as my acquaintance with him is of ten years, commencing with his study of the law and continuing since. He is a sensible young man, sound in morality & political principles, and therefore deserving confidence. You will of course compare his pretentions with those of other candi-

dates & do justice to the publick by selecting the most deserving. Sincerely I am y^r^ friend & serv^t^

TO JAMES MADISON.

ALBEMARLE Novr 22, 1799.

DEAR SIR,—I was yesterday at Monticello when Mr Jefferson informed me he proposed setting out on the next (this) morning on a visit to you, to remain a day & return. Considering y^r^ present publick engagement, the business before the legislature & the part you will necessarily take in it, with his publick station, I was immediately impressed with an idea the trip had better be declined & so observed. He said he had omitted writing to you lately as he intended to visit you. I told him it wo^d^ certainly compromise you both; it wo^d^ immediately appear throughout the Continent. Under this consideration he declined the trip, in the persuasion an interview might be had, by y^r^ making me a visit, at my new house, to w^h^ I move tomorrow. There wo^d^ be nothing extr^y^ in y^r^ coming up to assist me in arrangements there, and bringing Mrs Madison with you, w^h^ I earnestly wish you to do next week. We will repay the debt hereafter with interest. Our house is unfinished in all respects, the yard in confusion, &c, but you shall have a warm chamber & be made as comfortable as we can make you. Perhaps I have done wrong in interfering, and may have avoided one evil by prefering a worse one. This often happens where the intention is known to be good. But yet the

present does not appear to me to be an example of that kind. I sho^d have called on you in my return from Fredbg. had I not been taken to Carolina by the sickness of my sisters family & passed thence thro' Louisa; I am forc'd down again in ab^t ten days when I shall see you if I do not sooner. I enclose you the pamphlet I promised w^h contains some just views of the subject on w^h it treats. I enclose also a letter rec^d sometime since from F. Brooke on a subject in w^h he is interested. There wo^d be cause for regret if Mr Steuart of Staunton & Mr Brooke sho^d be opposed, in the event contemplated, as they are very deserving men, well qualified for the place in question. With M^rs M's & my best respects to Mrs Madison. Believe me y^r friend & servant.

TO JAMES MADISON.

ALBEMARLE Decr 7. 1799—

DEAR SIR,—I did not receive y^r favor of Tuesday last, till late yesterday, owing to my having moved to my lower plantation; and my important papers resting still behind, did not get them till late today on acc^t of the badness of the weather. I comply however in the best manner I can with your request and that of my other friends.[1] I send you a copy of my letter to Dr Edwards and his answer also a copy of the affidavits of Mr Skipwith, and of Messrs Burling & Morris relative to a topic not touched by the

[1] In reference to election of governor.

Dr, wh it is therefore proper you shod have.[1] I annex also an extract of a letter from Genl Washington, bearing date three days after my letter of recall, wh by its stile precludes the idea of his intending any dishonorable imputation against me: unless indeed a strange motive shod be assigned for his using *that* stile at *that* time. When Mr Adams made his

[1] Dr. Edwards' reply:—DEAR SIR,—"I a few days ago received your letter of the 12 Feby and observe that it requests answers to some facts which came to my knowledge while in Paris. The first relates to what I know of your feelings about the writings of Mr. Paine on political subjects while residing in your house. On this I can in truth assert that I repeatedly heard you lament the uneasiness he gave you on account of his publications relative to our own, I think, as well as English politics—and that you had made frequent exertions to prevent it & had spoken to Mr. Pinckney when in Paris on his way from Madrid to London, not to carry a paper to England from Mr. Paine, because it contained a violent something, I do not recollect what, to be published there by his correspondent,—which that gentleman refused accordingly to take, tho' requested to do so by Mr. Paine.

"In July 1796, hearing that he intended to publish a pamphlet against the President of the U. States you expressed to me the most painful uneasiness and begged that I would oblige you so much as to afford you my assistance to prevent it, which I consented to do, and accordingly rode out to Surennes, where Mr. Paine then lived, and for you made the most pointed request that he would be so good as to desist from the further prosecution of that intention and told him you asked it as a particular favor. He replied he had once declined it at your request because he lived in your house; but now most peremptorily refused, with expressions not a little vain with respect to what effect the work would have in America.

"The second answer you request is relative to your conduct at a feast on the 4th of July 1796. What came to my knowledge on that subject was this. On the morning of that day Mr Prevost your Secretary called at my lodgings and informed me you had heard that there was an intention not to toast the President of the U. States, which you deemed highly improper, and said you had desired him to tell me of it and to request I would use my interest with the gentleman who made the toasts to give 'the President'—and he intimated that you would consider a non-compliance on their parts, as treating you with disrespect. As soon as he left me Mr. Richard Codman of Boston (who was present during the conversation) and myself took a walk together to Mr. Joseph Russels lodgings, and did endeavor to have that matter made agreeable to you, but we were unsuccessful although we did not know it until the toasts were

attack on me, I was at a stand for awhile, whether to notice it or not; I then wrote the enclosed letter to Mr Dawson, who returned it with other papers as he passed last summer, wch contains some of the considerations w^h^ induced me to be silent. I send it to show the state of my mind at that time. Perhaps the present more favorable state of affairs wo^d^ authorise

given out, one of which included the 'Executive and Congress of the United States of America.' After 16 had been drunk Mr. Wm Morris told me a gentl^m^ was going to give General Washington a Volunteer toast, and I informed you of it. You instantly took the bottle, filled your glass, and the moment the person I told you was to give it rose, you did the same, gave three cheers, drank your glass and retired. And to this I can add that if I ever knew a person more attached to the President of the United States, I never was in the course of my life more mistaken. What related to your conduct about Mr. Paines writing against General Washington I mentioned to him since my return. He thanked me for the information and added that as to Mr. Monroe he believed him to be a man of honor and always thought so.

"As to the last subject you mention which relates to your conduct in general, so far as any facts came to my knowledge I can say without partiality to you, that all the while I was in Paris I did really conceive that the object which lay nearest your heart was the doing all the good in your power to your country by endeavouring to keep peace with France. In short I always thought you had a very painful task and difficult part to act. Your complaints to me against Americans there, on the business of privateering, were frequent. You once advised me against having any acquaintance with one man, because you had found out he was there on that errand tho. it was concealed. Another time I was made referee between two Americans, and happened to inform you of it; you told me if you were in my place you wo^d^ have nothing to do with it, for their dispute was about the dirty business of privateering. You informed me that you had refused Mr Vans his Exequatur because he had a concern of that kind, and Mr. Vans told me the same thing, tho. he did not acknowledge the fact. At another time when a young gent^m^ used an improper expression ab^t^ the treaty, at your table, your disapprobation was evident. After he was gone, you asked me what you were to do with persons who behaved in that manner, when they supposed themselves protected by hospitality. I told you I thought you co^d^ do no better than look as you did, for that you had the power of appearing dissatisfied when it suited you, and on that occasion I thought you had displayed it in a striking manner. You mentioned that it was conduct you wo^d^ not submit to: when gent^m^ came to you in y^r^ room and chose to speak their sentiments decently on any subject, they had the right to do so. But at

a publication of those documents at present, since from a farther proof of the injury done me in the first case, as outset of the present system of policy towards France, or rather towards America, some illustration might be given to later occurrences. I submit this entirely to y^r^ judgment & that of such of our friends as you choose to confer with. In case of publication,

y^r^ table you wo^d^ not allow it, even before your own family only; much less before a mixed company. I am very respectfully y^r^ sincere friend & ob^t^ servant

EN^o^ EDWARDS."

FROM GEN^L^ WASHINGTON:—

"PHIL^A^ 25 Augs^t^ 1796.

DEAR SIR

Your favor of the 24 of March written in cypher never got to my hands untill the 10th instant at Mount Vernon; nor were the contents of it known to me untill my arrival in this city on the 21. For the information contained in it, and for y^r^ attention thereto, I offer you my best thanks.

The subject referred to in these letters, and for M^r^ M's attention to w^h^, the President returned him his best thanks, was one in w^h^ his fame was interested. It is worthy remark that this letter bears date three days after his letter of recall from the department of State. It is to be presumed that Genl W. did not mean to sanction by his act of recall the inferences drawn from it by M^r^ M's enemies, or he wo^d^ not have used the stile of amity w^h^ appears in this letter. The letter itself is a complete refutation of the charges against Mr M. of his having neglected any concern in w^h^ the fame of the President was involved.

Personally appeared before me James Cole Mountflorence Chancellor & Notary Public to the Consular-General Office of the U. S. near the F. R. F. Skipwith C. G. of the U. S. of A. who made oath that J. M. at present M. of the U. S. with the F. R. never had any connexion with him the F. S. nor was any way interested with him or thro' him either directly or indirectly in any commercial or speculating transaction of any kind whatever; and that he never had any other connexion with ye said J. M. than a political one and growing out of his office as C. G. in the F. R. The said F. S. further declares that he sincerely believes that the sd. M. never had any such transaction with any other person, the only purchase that he ever heard of his making or believes that he ever made being the house and lot whereon he now lives and which he purchased from the proprietor, and with a view as he the dep^t^ believes of accommodating himself in a retired and comfortable manner whilst residing in this republick; and which latter declaration he makes with the greater confidence from the consideration that being from his official relation in dayly communication with the

wh the reading the papers in the house wod effect shod occasion require, it is of some consequence to decide whether the letter from Genl W. shod be withheld or not: & if brot forward whether it shod not be in some such manner as is noted in the paper at the foot of it. It certainly furnishes a powerful argument against wrong attacks made on me, and even against the act of recall itself. It is an instrument which cannot otherwise than work against themselves. It might be observed the *subject* is not mentioned from delicacy, & because not important to the present question.

---

said M. it is more than probable if he the sd. M. had had any such connexion he the sd. S. would have heard of it—Signed F. S.

Sworn to before me
J. C. M.

In testimony that F. S. Esqr signed the above declaration made before me on oath, J. J. C. M. Cr to the Cr Gl Office of the U. S. of A. at Paris duly sworn, have signed these presents and affixed to it the Consr seal of Office at Paris the 19. day of July 1796.

(Signed) *J. C. M.*

In the year of our Lord 1796, and on the 6th of Augt personally appeared at the consular Genl office of the United States of America at Paris before me Jas. Cole Mountflorence Chancellor to the aforesaid Consulate and Notary publick duly sworn, Walter Burling Esqr & Wm W. Morris Esqr both citizens of the U. States, who being both sworn, depose and say that they have severally resided at Paris for a year past; and during such their residence they have been in constant habits of intercourse with Jas Monroe Esqr Minister Plenipotentiary of the U. States of America near the French republick: that they severally believe that the said James Monroe during his residence in France has totally confined himself to his diplomatic functions, and that the said James Monroe has not been speculating in the lands or funds of this country, either directly or indirectly: that the said James Monroe has purchased a house which he now occupies, and that it is the only property in France they know him to possess, and further these deponents say not—signed—

W. Burling
Wm W. Morris

Sworn to before me
J. C. Mountflorence"

With respect to the paper of Dr Edwards it is to be observed that I have not the original, having taken this from a copy sent me by Mr Dawson, who kept the original for Mr Gallatin who then thought of answering Mr Addison for us both. Wishing the Dr to correct some papers, especially abt Paine writing in my house wh he admits was not the case as I prevented it; and abt my suggesting to Pinckney the impropriety of his taking to London anything from Paine, on my knowledge of its contents, whereas the fact was I never heard of his writing or proposing to write by him, till Pinckney told me of it himself; the original was given back to the Dr, who still has it; & in truth I rather think he wd not be much gratified to have it published. But it is authentic, and he has assured me in several letters, that I am at liberty to publish it if I wish, he being disposed to publish other facts not contained in this statement; tho' still leaving the inference above made. On the whole therefore, as the paper is authentic, and was given for publication I think I have power (making friendly explanation to the Dr) over it to that effect.

The publication of the extract from Genl W's letter without any hostile reference to him, taking the idea in the papers, improved as it may be, but yet without concession in his favor, wod turn him against those who have acted under him and have used him to oppress justice & truth. Or he must come out daring the inferences drawn from his letter showing the whole affair referred to take a direct & positively

hostile ground against me, & lay himself open to my reply wh. wod. not be wanting. I think he wd. be silent & leave what I gave as a text to be commented on by the world.

I do not urge the publication, but only submit the question, for it may be best only to use the papers with caution at present. If published, a friend from the country might need them, or any other member who wod. take the trouble; shod. an occasion be offered. It will be remembered we now have *peace* — the necessity or advantages of war ought to be seen — before pushed on our part.

There are two points in my official communications with the French govt. on wh. I have been attacked. The first respecting the two articles of our treaty. The second the proposition of a loan. Any one who reads with candor the first will see it was a stile calculated to produce its effect with those to whom it was addressed, a revolutionary govt. impelled by the heat of knowing little & regarding less considerations of policy. The result proved the propriety of the mode. Besides what did it concede, a principle already conceded to Engld., and wh. was stated in the correspondence with Genet as unimportant. It countenanc'd no pillage, but left the old law in favor during the negotiation with Engld. by the result whereof it was to be resumed of course, or sooner under orders from the Admn.; for I spoke as from myself, and of the temper of my govt. as being informed from genl. data. But the fact was, the object of the paper was to procure a repeal, in a manner the most honorable

for America as well as France & it did produce that effect.

The second the loan ; it will be remembered that that subject was proposed to me, when by order I was urging the sincerity of our regard for them, &c. A peremptory repulse wo^d^ have been impolitic ; by leaving it open to negotiation I gained ground daily, while the members changing, others who came into the committee might forget it, or be little disposed to quarrel with the minister of America, whose country did, and who personally stood well with France. Besides, we were then on the point of war with Engl^d^, and *management* with France *indispensable* according to the instructions of the Adm^n^. It was also to us the purchase of an ample equivalent. Lastly, it was never even mentioned to our gov^t^ by France, but merely a thing of informal communication with me on the part of the committee, and arrested the moment I heard of the Engl^h^ treaty. I have written in great haste & fear you will not be able to read, or understand what you can decypher of what I have written. You will of course view the contents merely as points for consideration, and not as my opinion as to the use to be made of the papers for really at this distance ignorant of occurrences, had I time, it were impossible to form a sound one. The letter to Mr Dawson you will keep till I see you, as I have no copy of it. Our best regards to your lady who I presume is with you. Sincerely y^r^ friend.

TO JUDGE JOSEPH PRENTIS.

RICHMOND, Dec. 23, 1799.

DEAR SIR,—The attention you have been pleased to show me in your favor of 20th is highly grateful to me.[1] My employment abroad was from the commencement a delicate one, and that it should terminate in the manner it did after the adoption of the British Treaty, no cause of surprise to me, nor could it be to those who then knew correctly the interior of our Cabinet. The act of my recall brought before the public the evidence necessary to enable it to judge of my conduct & that of the administration, and it cannot otherwise than be delightful to me to find, under its gradual progress of truth, the public mind pronouncing itself with such decision on the right side. My hope & belief is that the cause of liberty will prevail; if it does we shall all be infinitely more than compensated for what we have borne in a crisis which ought never to have been felt in this country. Accept my thanks for your friendly attentions & be assured of the esteem & regard of, dear Sir, yours

JA^{S}. MONROE.

[1] "WILLIAMSBURG, Decr 14th 1799.—MY DEAR SIR,—The public will as expressed by the present Assembly in their late vote respecting yourself, is a circumstance, which has really given me so much pleasure that you must pardon me in having adopted this mode of testifying to you. Under the hope, that it will afford you consolation for some of those unpleasant moments which may have been produced by the pen of Calumny and malevolence, it has been more particularly pleasing to me. Accept my sincere wishes that your public Duty may terminate perfectly satisfactory to yourself; and beneficially to our common Country. With sentiments of esteem and affection towards yourself and family. I am your friend JOS PRENTIS."

TO THOMAS JEFFERSON.

RICHMOND, Jany. 4, 1800.

DEAR SIR,—Colo. Cabell furnishes an opportunity by wch. I enclose you a copy of Mr. Madison's rept. on the acts of the other States on the Alien & Sedition Laws. This report has been two days before the House supported by the author, Taylor & Giles, and opposed by two or three whose names it is not necessary to give. Its effect is very discernible on the whole federal party, some of the more moderate of wh., wod. certainly come over, if they were not pledged in a very strong manner to their constituents. It will be carried by a great majority in the H. of D. and a respectable one I believe in the Senate. You perceive I have commen'd here, as to the letters of the Speakers of the two Houses, in a tone of moderation, yet of decision as to principle. I have thought it beneath me to make a more direct attack on Mr. Adams, and perhaps at present impolitick. Yet the publick mind ought not to be suffered to lose any portion of its republican tone by taking a position short of what it will bear. On this you will have the best information, relative to which & indeed every other topic on wch. you think proper to give me advice, I shall be happy to receive it. Your name will appear as a subscriber to neither of the papers you mentioned to me when I saw you. I have told the Editors, I shod. act for you, with wch. they were satisfied; and shall do for you precisely what I am forced to do for myself. I shall endeavour to keep them within suitable limits, in their publications, since I am strongly impressed with a belief if A. puts

himself in the hands of the Bh. faction, an attempt will be made to carry the Sedition Law here, as an electioneering trick, in the course of the summer. They must be deprived of a plausible pretext, in wch. case, an *attempt* will dishonor them, & their systems of standing armies &c. become a burden to themselves. I shall pay for you whatever you have to pay here, after wch. I shall reserve the balance I may owe you for adjustment when we meet, unless you have occasion for it here in wch. case direct the application. Yr. affectionate friend & servt.

TO PHILIP N. NICHOLAS.[1]

RICHMOND, March 16th 1800.

SIR,—The death of the late Attorney General imposing it as a duty on the Executive to supply the vacancy occasioned thereby, subject to the will of the Legislature at its next meeting, I have by the advice of the Council of State conferred that appointment on you. Herewith you will receive a commission which invests you with that authority. As this proof of publick esteem is given you, from the sense entertained by the Executive of your professional merit, and attachment to our free system of government, founded exclusively on the sovereignty of the people, I cannot doubt it will add a new motive for the continuance of your professional exertions, and reverence for those principles which were consecrated by our revolution.

[1] From Monroe's Letter-book in the State Library at Richmond. For this and other copies from the same source the Editor is indebted to the interest and courtesy of Mr. W. W. Scott, State Librarian.

TO GEORGE W. ERVING.

RICHMOND, April 4, 1800.

DEAR SIR, — It gave me great pleasure to hear yesterday by Mr. Jefferson you were in Philadelphia, that you were well and retained a favorable recollection of me. This was the first intelligence I had of your arrival in America, and I lose no time in making you the reparation to which you are justly entitled. The incidents which have occurred between us place me much in your debt on the score of civility, indeed of good offices. The refusal to you of my passport in Paris, especially if you were entitled to it, as I am now satisfied you were, or you would not have asked it, however justifiable I might be from the deficiency of testimony or other cause, would have irritated a narrow mind, and made the person to whom it occurred my personal enemy. But you retorted by an act of kindness in republishing my book in London, whereby you became the advocate & vindicator of my fame. You transmitted to me a copy of that book which I received but never acknowledged. On this state of facts I should indeed be an offender if nothing more were to pass between us. But I never meant the affair should rest here, and now hasten to explain to you the cause of my seeming insensibility and inattention. In returning home you well know that I was assailed by all those who were unfriendly to liberty. In discharging my duty to my country, in the place I had held, I had wounded the interest and the feelings of the enemies to that cause in both Hemispheres. An act of indiscretion committed by

me even on my farm, would have furnished to such persons the means of a double gratification, since it would have given them an opportunity to injure the cause and myself at the same time. Hence it became necessary for me to adopt a system of extreme precaution, and especially to avoid all correspondence with foreign countries. The objection lay, it is true, with greater force to a correspondence with France, but it was easy to infer from a communication from England one with France and then attach to it the idea of a conspiracy, &c.; I therefore thought it best to decline it altogether. To this it was owing that I never answered your letter, preferring rather to subject myself for the time to unfavorable imputations from you, especially as I then knew to whom I should have to make the explanation, when it might be done with safety, than depart from a rule I had adopted on reflection, from public as well as personal considerations. I am happy that an occasion is presented which enables me to make this explanation to assure you how sensible I am of the magnanimity of your conduct, and to offer you the homage of my respectful regard. Should you have leisure and be prompted by curiosity to visit this state, it would give me real pleasure to see you, and to make the tour as agreeable to you as possible at all times. I shall be happy to hear from you since I shall always feel an interest in your welfare.

The period is approaching when America will again have it in her power to retrieve her name & her fortunes, to become again the patroness of peace, harmony & liberty at home, among citizens to whom

those sentiments are natural; and to exhibit an illustrious example to an interested & beholding world, at an epoch the most solemn & awful that ever existed, of a people governing themselves in the practice of all these great & benevolent virtues. Will she avail herself of this opportunity, which if pretermitted may perhaps never occur again, or will she still pursue the downhill & degenerate track in which she has already gone so far, till she consumates her own ruin & dishonors mankind? I confide much in the wisdom & virtue of my countrymen & will never believe anything to their discredit till it is demonstrated. With my best wishes for your happiness I am, dear Sir, very respectfully yours.

TO THOMAS JEFFERSON.

RICHMOND, April 23, 1800.

DEAR SIR, — I have yours of the 13. When your presence ceases to be necessary in Phila. (and I wod. certainly remain while it was) your speedy arrival home is what I very much wish. I will arrange things so as to be in Albemarle as soon as I hear you are there. We have nothing new here except the election of the city & county, the former of wch. continues Copland, the latter has chosen two republicans; *that* interest being sufficiently strong to prevail in favor of both members excluding Mayo, alto' it was weakened by a 3d. candidate who took 70 or more votes before he declined. We hear nothing yet from the other counties this being the day of election. As I shall

see you soon, especially as it is unsafe to repose too much confidence in the fidelity of the post office, I defer any enquiry on topics of importance till then. Duane I think ought to have met the censure & judgment of the Senate. As it is they establish the principle & avoid the odium of his prosecution, thro' the constitution. He suffers all they can inflict with out exciting publick sensibility in his favor. Yr. affectionate friend & servt.

TO THOMAS JEFFERSON.

RICHMOND, April 26, 1800.

DEAR SIR, — The legislature directed some time since the building of a foundry for great & small arms, on the canal near this city. This work is now so far advanc'd as to furnish the prospect of its being in a state to commence the manufacturing of muskets in the course of the present year, and is on such a scale as to make it probable we shall be able to cast cannon for the Union. The attention it is my duty to pay to this interesting object has reminded me of Mr. La Motte, with whose merit and history, as to his introduction into this country, you are acquainted. I thought it wod. be unpardonable not to avail the State in so great & useful an undertaking, of his skill, so far as it might be practicable, and with that view lately mentioned the subject to the council. The contract of Mr. La Motte with the Executive was for three years which have perhaps expired. If at liberty it is presumed he might be easily prevailed

on to come down and aid us for a while. And if in the service of the U. States it cannot be doubted on application to those in office, permission wod. be given him to attend here for a few weeks, to examine what is done & advise as to what ought to be done to complete the building. The council advised that I ascertain by communication with my friends whether this gentn. is still in America, free, or in the service of the U. States ; in either case (in the latter the permission of the govt. being obtained) what he wod. ask beyond his expences, for making us a visit a few weeks for the purpose above mentioned. If unconnected with the federal Executive he wod. probably be disposed, and it might perhaps be for our interest, to engage him for a longer term. This might be suggested to him, with a view to ascertain what he wod. ask for his service, six or 12 months. Mr. Clarke who is I think known to you, a man of real merit, is undertaker of the building, as aid to whom Mr. La Motte is wished. In a certain view I know it wod. be improper to trouble you with this business, and have therefore asked of our senators to undertake the communication with Mr. La Motte & the fedl. Executive, supposing him in publick service & application to it necessary for permission for him to visit us. Still I have thought it advisable to apprize you of the above facts to request you will be so kind as aid those gentn. with your counsel in the business so far as it may be necessary.

The elections so far as we have intelligence are almost universally in favor of the republican cause. I

think we already know of 25 of the opposite party who are excluded by republican candidates. McClurg & Hopkins after voting in the city, & county of Henrico, pushed up to Hanover, as I am told, to throw their mite into the federal scale (as it is called) there, but it was in the air before their arrival, and the recorder does not state whether they went forward to condole with friends in adversity, or skulked home in silence to hide their shame and mortification from the world.

I have heard of the death of Mrs. Gilmer wch. was sudden, the effect as is supposed of an apoplexy.

TO THE VIRGINIA SENATORS IN CONGRESS.[1]

[Stephens Thompson Mason and Wilson Cary Nicholas.]

RICHMOND, April 28th 1800.

GENTLEMEN,— There lately was and perhaps still is in the service of the United States a person of the name of Lamotte a Cannon founder the most skilful in America being equal to any in France. This gentleman was permitted by special favor to engage in our service, on my application to the French government, by desire of the Executive, it being a concession never made to any but the most friendly powers. As we have a work of that kind on an extensive scale, now constructing on the canal near this city, it is thought the aid of that person would be of great advantage to us, if it were only for a few weeks. If disengaged it is presumable it would be

[1] From Letter-book in the State Library at Richmond.

easy to prevail on him to attend here for that term, or a longer one to examine the work, and advise as to its future progress; an adequate compensation being allowed him. And if in the service of the United States it is also to be presumed, it would be easy to obtain permission of the federal Executive for his absence for that term and purpose. Permit me to request you will be so obliging as make the necessary enquiries on these points and inform me of the result as soon as convenient. Should your communication be with the Secretary of War, as is probable, an occasion will be presented of embracing in the enquiry, the incident, which in a particular event falls within his department. If Mr. Lamotte is in America and willing to come, I could wish everything might be arranged, as to his terms, the consent of the Government, &c, supposing him in public service, that on a note from me he may immediately repair here. Mr. Jefferson is acquainted with Mr. Lamotte and will advise with you on the subject. With great respect I am Gentlemen &c.

TO GEORGE HAY, ESQUIRE.[1]

RICHMOND, April 29th 1800.

SIR,—It has been represented to the Executive by Mr. Richard Evers Lee that Captain Truxton of the United States Frigate Constellation, delivered to Doctor I. K. Read a magistrate of the Borough of Norfolk, a man, who is said to have confessed himself

[1] From Letter-book in State Library at Richmond.

to be one of the Mutineers on board his Britanick Majesty's Ship the Hermione, to be surrendered to the British Consul: that Doctor Read caused the said man to be committed in the jail of Norfolk and afterwards surrendered to the said Consul, who sent him by force without the limits of the Commonwealth, to a British island, where he was condemned and executed for the said supposed offence. As this transaction is stated to have been performed, within the jurisdiction of the State, and in part by one of it's magistrates, who is charged with having perverted the authority of his office, and with it the civil authority of the Commonwealth, it is impossible for the Executive to pass it by unnoticed. If the act complained of is an offence against the sovereignty or other rights of the Commonwealth, it is the duty of the Executive to see that those rights be vindicated. Equal respect however is due to the rights of those against whom these allegations are made. Nothing of the kind suggested ought as you well know to be presumed against any one on allegation alone, nor ought any measure to be taken in consequence thereof until the facts alleged be more formally established. On consideration of these circumstances it is thought proper to commission you, in whose professional merit high confidence is placed to repair to Norfolk to ascertain by affidavit the truth of these charges. You will receive herewith a copy of Mr. Lee's letter, above referred to, as also of an opinion of the Attorney General on the subject of it. These papers are put in your possession in the expectation you may

find them useful in the enquiry you are about to make. It is scarcely necessary to remark that so far as this enquiry respects the conduct of a foreign Consul it becomes in some respects an object of peculiar delicacy. Why it does so you will readily perceive and pay the subject in that view the attention to which it is entitled. You will be pleased to communicate with Mr. Lee, from whom you will derive all the aid in the prosecution of the business, it may be in his power to give. With great respect, I am Sir &c.

TO THOMAS JEFFERSON.

[May 25, 1800, RICHMOND.]

Dear Sir,—I wrote you the day after you left town a letter wch. I gave Dr. Foushee for Mr. Eppes who promised to breakfast with him on the morning of his departure. It was not till yesterday in council that I heard from the Dr. the letter had not been sent. So much time having elapsed I shod. not now write you on the subject of the former one, reserving it for future communication, if that were the only object. It was found on enquiry, in a way wch. compromitted no one, that the affr. cod. not be made general, but wod. be dissented to and probably opposed by the principal members of the admn. party. It was feared also that the zeal of some of our friends wch. had been in a peculiar degree excited by yr. presence, had abated by yr. absence, especially as yr. passing thro' furnished so fair a pretext for not acting. It was also probable it might lay the foundation for a like

attention by the tories, to our new Secretary, whereby you wod. be involved in a kind of competition with a creature who wod. be benefited by any occurrence wch. gave birth to the idea alone. Under these circumstances the project was abandoned.

Chase harangued the G. Jury in a speech said to be drawn with some art, as it inculcated some popular doctrines with allusions wch. supported by Eastern calumnies he intended for you. He declared solemnly he wod. not allow an atheist to give testimony in court. You have perhaps seen that the circumstance of the dinner in Fredbg. being on a Sunday is the foundation for this absurd calumny. The G. Jury, of wch. McClurg was for'man, presented Callender under the Sedition Law, & Chase drew the warrant & dispatched the Marshal instantly in pursuit of him. This was yesterday at 12. since wch. we have not heard of either. If taken I hope the people will behave with dignity on the occasion and give no pretext for comments to their discredit. If I cod. suppose the contrary I wod. take proper steps to aid in bringing him forth. I mean to prevent any popular meeting to the contrary. Will it not be proper for the Executive to employ counsel to defend him, and supporting the law, give an eclat to a vindication of the principles of the State? I have only time to add my best wishes for your welfare, Yr. friend & servt.

Sunday, 27, May 1800.

Thos. Pinckney has been here & called on me invitations were reciprocated. Marshall has called—Chase has not.

TO THOMAS SMITH.[1]

RICHMOND May 31st 1800

SIR,—I have received your letter of the 28th and weighed with attention the observations you have been pleased to make in it. I do not know whether you intended I should consider this letter as a publick or a private one, since it seems to be designed rather to point out what you conceive to be my duty in the case referred to than to illustrate your pretensions to the office for which you are a candidate. But as the answer I shall give to it would be the same in either case, it is immaterial in which light it was conceived. I am always ready and willing to explain any act of my publick conduct to those who may be affected by it, and perfectly indifferent whether such explanation be considered as confidential or official. The purport of your letter according to my idea of it, amounts to this, that on the receipt of the recommendation by the court of Mathews county, of you to the command of the 61st Regiment, I ought immediately to have acted on it by issuing the Commission in your favor: or if I chose to ask the advice of Council on the appointment of a suitable person to fill that office which you also admit I might constitutionally have done, no advice being given owing to a temporary division of the Council, I ought forthwith to have resorted to the recommendation of the Court. You intimate I could never revive the subject in council, or the Council reconsider it, since being once divided its constitutional power over that subject

[1] From Letter-book in State Library at Richmond.

was gone, and I as chief magistrate deprived of that mode of discharging this important branch of the publick duty. You add that I had no right to lay the recommendation of the Court before the Council or the Council to regard it, since each having, independent of the other, a constitutional right to advise, the Council had nothing to do with the act of the Court.

I differ from you in opinion on all these points and shall cheerfully explain the principles on which this difference is founded. I do not think the chief magistrate bound to prefer as you urge in your first objection, the recommendation of a county court to the advice of the council of State, in the appointment of militia officers. I think on the contrary he is bound to give that preference in many cases to the advice of the Council: and this results as well from the obvious import of the Constitution which gives a priority to such advice, as from the nature of the respective institutions. Why was the alternate mode of appointment by advice of the Council given, if it was not with a view to such preference? Had *that* by recommendation of the county courts, been deemed a perfect system, surely no other would have been thought of. It was doubtless foreseen that improper recommendations might sometimes be made; that the just reward of merit might be withheld; that the respectable claim of seniority might be undeservedly rejected; or other error committed; and it was thought wise to vest a power somewhere to control such recommendations. And with whom could

such a power be more safely deposited, than a Council elected by the legislature, from the body of the society, and responsible to that society for its conduct? It was fair to presume the members composing such a Council would feel themselves above local considerations; that uninfluenced by little cabals the ties of consanguinity or family interest, which might take place in the circle of a county, they would look to the publick interest alone in the discharge of such a trust. In all the great concerns of the Commonwealth an uniform policy ought to be observed, because uniformity is justice, especially when it is founded on principle. In none ought it to be observed with more strictness than in cases of military preferment. To secure this some power should exist to supervise the whole; it should therefore be coextensive over the whole. Would it not then be absurd to vest such a power in the Council and not intend it to be a paramount one? Nor is the position tenable that because the Council was once divided I could not revive the subject there. Indeed I cannot conceive on what principle this doctrine is advanced, for it was never heard of before. Is it supposed that the Council ceased to have jurisdiction over the subject after it was once divided on it? If the Council were like an ordinary court this would not be the case, for *there* even in common causes where the proceeding is formal, any decision is open for reconsideration on a subsequent day; any judge at liberty to change his opinion; but in the recommendation of militia officers a more extensive latitude is indulged.

I believe it was never contended that because a recommendation was not made at one court it could not be done at another, whether the failure proceeded from negligence, division of the members, or other cause. Shall the Council then, a political body, instituted to assist the chief magistrate in the administration of the government, be more restrained in the discharge of its functions, than a judicial tribunal? A moment's reflection must satisfy you this cannot be the case. That the power which it has over any given subject, being derived from the Constitution is always the same; that the chief magistrate has a right to revive there any subject he pleases and when he pleases till the business be finally dispatched: that the Council have a right to reconsider such subject and modify its advice as it thinks fit. Useless would that body be and unhappy the condition of the country, if the contrary were the case. If under a change of circumstances, the advantage of additional information, or a conviction in any member he had erred in his judgment, a bad measure could not be changed or a good one advised. In your third objection you state I had no right to lay the recommendation of the Court before the Council, or the Council to regard it, because, you say, "the Council and the Court are different bodies, each distinct and independent of the other, and the advice of the one was to be weighed against that of the other. It seems therefore confounding distinct things to ground the one on the other &c." Waiving for a moment other objections to this argument, I cannot presume

what benefit you propose to yourself from it in the case in question. If it were desirable to obtain the advice of Council in your favor, as I should presume it would be, for then both the constitutional requisites would be united in favor of your appointment, ought not your pretensions to be made known to that body: especially one founded on so respectable an authority as the recommendation of a county court? To me there appears to be an obvious propriety in submitting such recommendations to the consideration of the Council because it cannot otherwise than have weight in its decision. It is likewise proper to submit to it whatever is urged against the appointment, or in favor of any other person, that the whole subject may be before it. The Court from the situation of its members possesses a correct knowledge of the pretensions to office of every candidate in the County, and is therefore in a peculiar degree, well qualified to recommend: as the Council is for reasons already given, in a peculiar degree, well qualified to judge of the propriety of that recommendation, and of the weight of the objections to it. It ought therefore to have the whole subject before it, that it may be enabled to discharge the trust reposed in it with justice to the parties and advantage to the publick. Such too has been the practice of all my predecessors since the Government was formed. A practice which seems to be pointed out by the obvious spirit and principles of the Constitution, and to be dictated by considerations of publick utility. It remains to examine whether this was a case in which

I ought to have taken the advice of Council, and whether I have waited for that advice, under existing circumstances, longer than a due regard to the publick interest justifies. To decide this a statement of the case itself seems to be necessary. Your pretensions are founded on the recommendation of the Court. You were formerly a Major in the regiment, and resigned because you were superseded, so that at present you hold no commission whatever in it. The pretensions of your opponent are founded on the recommendation of a majority of a meeting of the officers of said regiment, he being a Captain in it. Should you be appointed you would supersede every officer in the regiment, who might, it is true, not resign as you did on a former occasion, as you would be preferred to a post you might have claimed by seniority had you not resigned; though of this disposition in the officers no evidence has been produced to me. Should he be appointed the officers under him would have no cause of complaint; those above him might resign, unless it were inferred from the agreement which took place between the officers composing the meeting, to be governed by the vote of the majority, that one of the Majors who presided would acquiesce. Besides if either of you are preferred, the claim of seniority in the oldest Major, will be rejected, a claim which though not conclusive, is yet a respectable one. Under circumstances like these ought I to have appealed to the Council of State for it's advice, or confident in myself slighted it's aid? And if I ought not to have consulted it on

this occasion, I should be glad to know under what circumstances I ought to do so. It is proper to add that in seeking the advice of the Council I followed the undeviating example of all my predecessors in like cases. Had I acted otherwise, I should have established a new precedent, violated in my judgment the principles of the Constitution and exposed myself to just and merited censure. It cannot I presume be contended that any injury has occurred to the Commonwealth by the delay which has taken place; being for the space of a few weeks only. The country is happily in a state of perfect tranquility; no invasion or insurrection has taken place and I hope never will. No incident has occurred which made the want of a Commandant for the time any wise hurtful to the publick. But you urge that on a division of the Council I ought immediately to have resorted to the recommendation of the Court and issued the commission in your favor. But why such haste? It is natural and therefore does not surprise me that you who wished me in the commencement to issue the commission without reference to the Council, should urge it on a division of that body, for a party interested usually catches at every incident with a view to profit by it. But it became me to act with deliberation: to separate myself from the interest of the parties: to take a general view of the subject and to endeavor in rendering justice to them to acquit myself in the transaction to the Commonwealth whose servant I am. Were then the merits of the controversy altered by this division? Were it less improper

after that event than it was before to take from the ranks a citizen however respectable he might be and not only place him over the head of his opponent recommended as yours was, but of every other officer in the regiment, thereby hazarding the resignation of every officer: for you well know that on a former occasion when you were superseded you gave them an example of resigning, and their sensibility might not be less than yours. Ought this to have been done without further knowledge of the pretensions of the several officers in the regiment, especially your competitor and those above him? Or of their disposition to relinquish their rank in your favor? I always considered you as a very respectable and deserving citizen but it is to be presumed those officers are so likewise, and some consideration was and is due to their pretensions and wishes in this respect. Some enquiry ought to be made concerning them. The division of the Council settled none of these points, but left them where they were before. I might, it is true, on that occasion, have issued the commission to you; I might still do it: I might have done so without consulting the Council. But in my judgment, by which I shall be governed, if it were improper then to do it, it is equally so now, notwithstanding the incident which has occurred. You say that by not issuing the Commission on the recommendation of the Court, after a division of the Council, I establish a new precedent; but you seem not aware that the case was altogether a new one, and that by acting as you propose I should have

established a two-fold precedent, if I may so express myself: first by withdrawing from the Council a subject already submitted to it, and properly cognizable by it; second by issuing a commission on the recommendation of a Court under circumstances no person in my place, as I am informed, ever did, and that it was my opinion the latter course would be productive of most harm to the Country my conduct has shewn. I mean again to present the subject to the consideration of the Council, as soon as there is cause to hope a decision from it. By that decision, if I do obtain one, I shall be governed, let it be in favor of whom it may. When I submit it again to the consideration of that body, I shall see, so far as depends on me, that you and every other person have justice done them. It shall be submitted when all the members are present, as was done before; except on the first occasion, when at your particular request, I convened a board on that business alone. I shall propose not an immediate decision, but the appointment of a day to take the subject up: that the parties interested may be notified of that day and invited to attend to make their pretensions better known. Should this be adopted you shall immediately hear from me of it. Had I submitted it on the former occasion, in the absence of any of the members in whose good opinion you might more especially confide if such there be, or held it back to a period you might deem less propitious to your views, you would have just cause of complaint. But this was not the case, as is well known to all those who know anything

of the course of this transaction. Should I not be able to obtain a decision from the Council when I submit the subject again to it's consideration, it will then remain for me to decide what course I ought to take in a dilemma which will be an embarrassing one. I shall however not fail to examine the subject again with the attention its importance may entitle it to, or to take that course which my judgment dictates as being most consistent with the Constitution, and best calculated to promote the interest of my Country. Among your concluding remarks you say that "such is the result when you apply the facts to the Constitution which you have already communicated to me by letter: that it cannot be necessary to recapitulate them all at this time" &c. I think proper to notice this passage because I do not know what the facts are to which you allude. The only facts that I know of in the case, in which you are interested are first, the recommendation of you by the Court, second that you held formerly the rank of Major in the regiment and resigned because you were superseded, and third, had you not resigned, that you would now be entitled to the office in question by seniority. Did your letter comprise any other fact, or are there any other in favor of your pretensions other than the respectability of your character which will of course be duly regarded? If there are I should be glad to know them. I remember when you first arrived with the recommendation of the Court, you informed me of these circumstances, and that the Court in recommending you sought only to repair a former

injury; and that I, not recollecting, that whatever appertained to your former rank, resignation &c., would appear by official documents in possession of the Executive, requested you to state them on paper, lest from the variety of other business I might forget them. You did so, adding that had you known the recommendation of the officers would have been regarded you would have endeavored to obtain it; but thinking that of the Court only, entitled constitutionally to the attention of the Executive you sought no other. By some casualty either in the office of the Council or in my office, this letter was mislaid and has not since been found. When I met the Council I stated the same to the members, recounting however the contents of the letter from memory as well as I could, and I believe correctly; for having heard them from you verbally, and afterwards read them in your letter, it is not probable I had forgotten any part thereof. On your arrival the other day I informed you of the above, requesting nevertheless a copy of the letter, that in case I had omitted anything, I might supply it when I submitted the subject again to the consideration of the Council; and also with a view of possessing a document which would justify me in stating a fact which did not appear by official returns, being the last above noticed. You did not think proper to furnish me with a copy of that letter, probably because you deemed it unimportant, all the facts connected with your pretensions being otherwise before us. It is however owing to the reference you

made to it that I have gone into this detail, and now repeat my request that you transmit me a copy of that letter. If anything was omitted, which that letter contained, in my former statement to the Council, as I presume there was not, there is still time and opportunity to supply it, and I presume it will now have the same weight with the members who voted against you it would have then had. Or if you have anything further to add in support of your pretensions I beg you to communicate the same to me, that I may lay it before the Council when the subject is revived. I have now answered the several parts of your letter the contents of which I freely own, surprised me, because it breathes a spirit, and is expressed in terms I did not expect from you. I have long known and esteemed you, and regret that at this stage of our acquaintance an incident of a nature so unpleasant should occur. I shall however conclude with assuring you, that however unjust or improper your insinuations may be they will not induce me to swerve from a line of conduct I adopted on reflection and which my judgment & conscience approve. With great respect, I am sir &c.

TO JUDGE ST. GEORGE TUCKER.

July 12, 1800.

DEAR SIR,— Immediately on your leaving town I procured the manuscript[1] you authorised me to peruse on the question whether the common law is in form

[1] Of his essay, *How Far the Common Law of England is the Common Law of the United States.*

under the Federal Constitution, and can assure you I was highly gratified by the perusal of it. I think it a most excellent essay on that subject & likely to produce a considerable effect especially with the more enlightened part of the community. It is the first regular analysis I have seen of the change wrought by our revolution on the feudal institutions of Europe, tending to show how complete that revolution was in the principles of government as of legislation. The pamphlet will in my judgement be read generally & referred to in our courts; as authority. Certain I am it ought to be. The only defect I see in it is, that it does not in some cases pursue the illustration as far as it might be, and ought to be for many of those who will read it. Some it is true will take the ideas and carry it thro' without further aid, but others will not be able to do it. This however may be corrected in a republication hereafter, if indeed the objection is a sound one. I returned the papers immediately to the person[1] of whom it was obtained, & being much engaged with public & private concerns since, have not heard in what advance the impression is. I have just heard that person is to go to the federal town, in consequence whereof it may perhaps be neglected. If you will be pleased to direct the delivery of it to Major Coleman, the publication will be attended to. I leave town tomorrow for a short time, but will apprize that gentleman of the possibility of such a commission, and will attend to the discharge of it on my return in case it takes effect. Sincerely I am.

[1] "Mr. Rind" [W. A. ?]

TO GOVERNOR THOMAS McKEAN.

RICHMOND, July 12, 1800.

DEAR SIR,— I lately received your very obliging favor of —— with the pamphlet enclosed on the penal code & police of the prison of Penna. for which I return you my sincere thanks. I think with you our laws on that subject have not yet reached the degree of perfection, the subject admits of. Still we have made great improvement in the science of criminal justice, as we have in that of government generally, in comparison with the state existing when the revolution commenced. At that time the people took the government into their hands, & I think have done more in the 24 years that have since elapsed, to improve the condition of mankind, than Kings & nobles had done before from the creation of the world. When I came into this office I promised myself much pleasure from a knowledge that our communications would not be of the ordinary political kind between political men, but that they would be dictated by the spirit of confidence which subsists only between friends. I have too long known respected & esteemed you, not to have rejoiced at your appointment, not to be anxious from private as well as public considerations for the success of your administration. Indeed I considered it as the commencement of a change in our political system, which promised to restore our country to the happy state it formerly enjoyed, & from which it had of late so much declined. So far I am happy to add my expectations have been confirmed. I trust we are daily

gaining ground, and that the election which is to take place this fall, will secure to us forever those liberties that were acquired by our revolution; which ought never to have been put in danger. On your state & on yourself much depends, nor have I a doubt that anything will be omitted to promote the sacred cause of our country, which great experience, talents, worth & industry can supply. It will at all times give me real pleasure to hear from you & to obey your commands in any case where I can serve you. To your opinions on public subjects I shall pay the highest respect, & shall therefore be happy to receive them whenever an occasion presents itself.

TO EDMOND C. GENET.

RICHMOND, July 30th, 1800.

DEAR SIR,—I lately received your favor of the 12th instant and was much gratified to hear of you and the health of your lady. Mrs. Monroe is now in the Country whither she was carried by an attention which was due to the health of our youngest child, which as it was cutting teeth and had the whooping cough, it was necessary to move to a purer air.

The box of porcelain which was entrusted to us by our most estimable friend Madame Campan, for you, was carried with our luggage to Albemarle, where it has since remained unpacked. I should have forwarded it to you long since but declined it, lest in the then infatuated state of the public mind the passage of such a packet from me to you might be considered

as the proof of a conspiracy against the Government, of a treasonable correspondence with France, &c. I shall however hasten to have it brought here, and forwarded to you to the care of some friend in New York, of which you shall be advised.

I am happy to hear your government has recalled you to its own & the bosom of your friends. As a friend to free government your name will be recorded in the history of the present day. And your patient submission to the censures you incurred, in the station of a frugal and industrious farmer will be a proof of the uprightness of your heart, and integrity of your conduct, while a victim to pure principles. I considered it my duty, not to injure your fame, or detract from your merit while I was in France, but to anticipate and prevent as far as I could any ill effects which your collision with our Government might produce, in the French councils. It was natural, had you returned that you should have gone into a detail with your Government, of the incidents attending your mission, and more than probable that the communications you would have made to it, would have increased the jealousy which it then entertained of the views of ours. It was my desire and endeavor to dissipate completely all those jealousies and to bring the French Government, into a system of conduct towards us, through the whole of the war, great and magnanimous, which would have done it honor to the latest posterity. I had no particular reason to conclude you would not have united in such a plan, other than the strength of human passions & the knowledge

I had you thought you were injured. Hence I was persuaded your return at the time might be injurious, and was in fact averse to it. But I did not oppose it by any direct or indirect agency. But such was the state of things, growing out of my standing with the principal members of the Government, that they would take no step in it without speaking to me on it. When the subject was opened I was always silent, testifying in favor of your integrity only, whence it was inferred and truly I was opposed to your return at the time. The whole of this was passed & is only recollected as interesting to ourselves. I too have had my day of suffering. I served with zeal the cause of liberty & my country, & was requited by every act of injustice which could be rendered me, short of imprisonment & death. This too has passed, tho' it can never be recollected by me but with disgust.

Be so kind as make my best regards to your lady to which I add with pleasure those of Mrs. Monroe who will be happy to hear of her & believe me sincerely your friend & Servant.

TO JAMES MADISON.

ALB: Augt 6. 1800.

DEAR SIR,—My family were arrived before me. Thomas reached y^{r} house yesterday without my horse, and the old gentleman was so kind as lend his to assist in bringing Mrs M. home. Our child has a fever, did not sleep last night nor on the road. I fear we will not rest to-night. We shall have the D^{r} with

him to-morrow, and his gums lanced as we hope *that* is the only cause of his present indisposition. My horse it is thought will be lost as he was blind, wo^d not eat & wo^d not travel. In this state of things I cannot say when we shall be with you but affirm it will not be delayed a moment longer than inevitable necessity compels. I shall go to Richmond the day after to-morrow; after my return you shall hear from me. I beg you to make M^rs M's & my affectionate regards to Mrs Madison & sisters & my acknowledgement to y^r father for the use of his horses. Sincerely I am y^r friend & serv^t [P.S.] I have no wafer.

TO ROBERT M^cCORMICK.[1]

RICHMOND August 10th 1800.

SIR,—Your proposition of July 31st of departing from the Charleville pattern by lengthening the bayonet one inch and rounding the pan and hammer of the lock according to the Mauberge model, as exemplified by the musket you then presented me, is approved. You are in consequence authorized and requested to observe that modification in all the arms you make for us under your contract. The model you left with me will therefore be considered as the standard which you will observe without any deviation from it. I mention this circumstance because I think I intimated the breach was too straight and that some instruction might be given you on that head.

[1] From Letter-book in State Library at Richmond.

But the consideration that it is stronger than it would be if it were more crooked induces a preference for it as it is. I write General Shee by this post to this effect also, and as he will be prepared to perform the duty allotted him, hope the execution of the contract will commence and be completed according to its tenor, to the satisfaction of both the parties to it. With great respect, I am Sir &c.

TO JAMES MADISON.

ALBEMARLE Augt 13. 1800.

DEAR SIR,— I returned from Richmond yesterday (Wednesday) and found my child better than when I left him. The dangerous symptoms of the throat seem to be past, and the whooping cough has nearly left him, so that extreme debility is his present chief complaint. Perhaps I do wrong in sending you the enclosed letter, in reference to the views of the author, but as I know no harm can come of it, especially as I am under no engagement to the contrary, I see no impropriety in so doing. You had better return it to me, with the other paper if the post permits, or other opportunity offers here by Wednesday next. I wish you to say whether you think I have said anything improper or omitted what ought to be supplied in my letter to Smith. Have I plac'd the aff^r^ in regard to D. on a footing sufficiently delicate, have I made an acknowledgement to S. sufficiently strong? If any error is committed in it it may be rectified in another letter immediately on my return to Richmond.

The truth is I do not like the letter on reading it since my return here. Ought I to assume the debt eventually or how act in it? Sketch what you think will do. I have been so much worsted by my ride down and back, in the sun, that I can scarcely sit up to-day, and my family are not less wearied with the duties which devolve on it in my absence. At present we have no plan but that of ending this state of things. Most earnestly do we wish we co^d^ make it convenient to execute our engagements with you and Mrs Madison, for we feel, especially myself, that we have as yet illy acquitted ourselves to you, but as my duty calls me at present to Richmond, and a visit to you wo^d^ subject me to the same fatigue as heretofore, I fear it will not be in my power. If we do not visit you again you will ascribe it to the true cause w^h^ you know too well to doubt its solidity. When you come to Richmond in the fall, as you most probably will, we beg you to bring Mrs M. with you, as it will be perfectly convenient for us to accommodate you and highly agreeable. A fortnight's residence with us there will make the retreat for the winter more desirable in the mountains. We shall have more leisure too for many topics of conversation than we have had of late. Present our best regards to Mrs M. & sisters as also to the old gentn. & lady & Miss Fanny. Sincerely I am y^r^ friend & serv^t^

I need not mention the aff^r^ with S. had better be mentioned to no one. Had I not better enclose D. a copy of his (S's) letter & my reply? We will be in Fredbg. next month.

TO JAMES MADISON.

ALBEMARLE Augt 14. 1800.

DEAR SIR,—I wrote you two days since & sent the letter to Charlottesville. It is only this moment that I recollect I omitted to enquire whether you had heard of the overseer you promised to endeavor to engage for me. I shall take no step relying on him till I hear from you. Perhaps he wo^{d} be satisfied with £50. as it is in a healthy country, and the entire command of the plantation in his hands. But you will do the best you can; since my last my child has had no relapse of his former complaints, but I have rec^{d} a notice which shows I ought to be at Richm^{d} I wish I had more command of my time, that I might be with you some days before I go down. Our best respects to Mrs Madison & family. Sincerely I am y^{r} friend & serv^{t}

TO THE MAYOR OF PETERSBURG.[1]

RICHMOND August 30th 1800

SIR,—Some information has been received of a proposed insurrection of the slaves in this city and its neighbourhood of a nature to merit attention. It is said it is to take place tonight and as it is probable from a communication received not long since from your city if there be any foundation whatever for the report it may be connected with a like movement there, I have thought proper to apprise you of it.

[1] From Letter-book in State Library at Richmond.

By being on your guard no injury can be done and mischief may be prevented. With great respect I am Sir &c.

TO THE MAYOR OF RICHMOND.

RICHMOND September 1st 1800

SIR,—I deemed it necessary to continue the measures for defence of the city last night that were adopted the preceding one against the supposed projected insurrection. Some additional circumstances that were communicated to me increased the probability that a partial movement at least was contemplated, and there was no reason to suppose it was abandoned, especially as the execution of it might have been prevented by the badness of the night. It seems to me proper that the cause of this alarm should be examined into, that we may know whether anything of the kind imputed was really intended, and to what extent. Perhaps the best course will be to lay hold of the informers, and the suspected, and extort from them what can be obtained. By apprehending the informers they will be secure against the suspicion of being such. This can only be done by the civil authority, on which account I suggest the above to you. As the negroes of the country are said to be a party in the affair it will be well that a magistrate or two be appointed with a like number of the town to make the enquiry that process be issued at the same time against all who are accused or suspected of being concerned in the affair. Some more recent information makes it necessary this

commission should be organized without delay. You will observe I only suggest this measure for your consideration. With respect I am Sir &c.

TO COLONEL DAVID LAMBERT.[1]

RICHMOND September 2d 1800

SIR,—It is expedient that a Guard of sixty men to be commanded by a Captain and suitable number of subalterns and non-commissioned officers be stationed every night in this city for its defence till further order. I have to request you will furnish these from your regiment, twenty-five to be stationed at the Penitentiary, fifteen at the Magazine, ten at the Capitol, and ten at the Gaol. Let them commence duty at six in the evening and remain until sunrise next morning. They will receive their arms at the Penitentiary, and each guard will deliver them over to the succeeding one. With respect I am Sir &c.

TO JAMES MADISON.

RICHMOND Sep[r] 9. 1800.

DEAR SIR,—I have y[r] favor of the 27. (last) in w[h] you inform me of y[r] engagement with M[r] Macgee to overlook my business in Albemarle, with which I am much gratified. I believe the one on the mountain will remain, but whether he does or not I shall put great confidence in Macgee, and altho' in case he stays and in consequence Macgee's attention be confined to the lower place, I shall if you advise raise

[1] From Letter-book in State Library at Richmond.

his wages to £60. and allow him to possess a horse. I very much hope under Mr Macgee's auspices to encourage considerably the product of plantation, of wh I am satisfied it is capable. I was surprised to hear nothing of the papers sent & letter I wrote you from Albemarle, as I am not to have recd the letter you mention to have written me the mail before that wh brot this. My letter convey'd one from Mr Mason having reference to you, of wh we confer'd before, as also mine to Colo Smith, both of wh ought be seen by yr self only. I hope you have them, & will keep them till we meet. The latter subject ought to be viewed with great favor to the party interested from the footing between him & me, in addition to wh I think he had a discretionary power over what concerned me in every emergency. There has been an alarm here of an insurrection of the blacks wh has not entirely subsided. It seems to be evident that something of the kind was contemplated. Abt 25 of this neighborhood are committed who are to be tried next week. It is said they intended to seize the publick arms that were at the penitentiary, burn the city, &c. The evidence of its comprising many of the negroes of Henrico part of Hanovr & Chesterfield is satisfactory; but it is at our end of it it was contemplated. Mrs M. is gone on a visit to my sister Buckner in Carolina and writes me she and Eliza are well & the child much improved. By moving him abt he will I hope get the better soon of those diseases of childhood, & recover his strength. This alarm has kept me much occupied & I write

this in haste. We have nothing new from abroad. Our com^n^ and gov^t^ keep their secrets to themselves. Of the state of the publick mind we have no positive proof, but cause to think it is changing for the better. Our best wishes to Mrs Madison & family. Sincerely I am your friend & serv^t^

TO THOMAS JEFFERSON.

RICHMOND, Sept. 9, 1800.

DEAR SIR, — There has been great alarm here of late at the project of an insurrection of the negroes in this city and its neighbourhood wch. was discovered on the day when it was to have taken effect. Abt. 30 are in prison who are to be tried on Thursday, and others are daily discovered and apprehended in the vicinity of the city. I have no doubt the plan was formed and of tolerably extensive combination, but I hope the danger is passed. The trial will commence on Thursday, and it is the opinion of the magistrates who examined those committed, that the whole, very few excepted, will be condemned. The trial may lead to further discoveries of wch. I will inform you.[1] We have nothing new from abroad. Very sincerely I am yr. friend and servt.

GENERAL ORDERS[2]

RICHMOND September 10th 1800

The Governor as Commander in Chief of the Militia, directs that the Commandant of the 19th Regiment place, of that Regiment, fifty men well officered at the Penitentiary for the guard of

[1] See Howison's *History of Virginia*, p. 390.

[2] From Letter-book in State Library at Richmond.

the arms and prisoners there. That he place sentinels so as to command the access to that post and the town from the river to the mouth of the lane just above the Penitentiary leading to it from the main road. He will also place two sentinels on the Richmond side so as to observe any approach from the quarter next Mr. Rutherford's. He will establish a guard at the Capitol of a subaltern and twenty-five men with sentinels properly posted to observe any approach from any direction. He will also place a guard of fifty men at the Jail under a Captain who will cause patrols to be constantly moving up the valley, on Richmond hill, and to Rocketts to observe any movement from any quarter. He will place a guard of twenty-five men in the rear of the town whose business it shall be to watch any approach from that quarter. In case of alarm the sentinel will discharge his piece, the guard to which he belongs will form and defend it's post and never yield it. The residue of the regiment will retire to their houses for the night, ready to attend on the first alarm, those living on the Shockoe side of the creek to the Capitol square on the side next Colonel Goodall's tavern. Those living on the Richmond side to the Market house. The Commandant will appoint an officer at each place whose business it shall be to form the men at those places. When formed they will wait the order of the Commander in Chief. It is hoped the citizens exempted by law on each side of the creek who are able and willing to yield their assistance on such an occasion will arrange themselves in like manner. The discharge of muskets at either post, the discharge of a cannon or ringing of the Capitol bell will be considered as an alarm. It is expected the whole Regiment will parade at nine o'clock in the morning at the Capitol square for the purpose of relieving the Guards. By the Commander in Chief.

Attest: SAM. COLEMAN D^y^ Adj^t^ Genl

GENERAL ORDERS.[1]

RICHMOND, September 15th 1800 P.M.

The Chief Magistrate is happy to announce that the late combination of slaves in this city and its neighbourhood for the purpose

[1] From Letter-book in State Library at Richmond.

of an insurrection appears to be so completely broken as to authorize him to make arrangements which will contribute greatly to the convenience of the citizens. He is of opinion the force in service may be considerably diminished without hazard to the city or any other of the very important objects for which it was embodied: He therefore directs that of the 19th Regiment only one hundred and fifty men be kept in service for the protection of the city to be stationed as heretofore; of the 23d Regiment thirty men for protection of the arms at Manchester; and of the 33d Regiment twenty five men to be stationed near Prosser's tavern. All beyond this number will be forthwith discharged. The Chief Magistrate returns his very sincere thanks to the officers and men composing these several corps, as also to the officers and soldiers of the cavalry who have been called into service on this occasion for the promptitude and alacrity with which they obeyed the summons, and for the good order and discipline observed by them while in service. The trials which have been held of the slaves who were apprehended, with their conviction and execution, is a solemn and incontrovertible proof that a serious conspiracy against the lives and property of the good people of this Commonwealth has existed. Nor can it be doubted that it's danger has been in a great measure averted by the patriotism and good conduct of the citizens, who were called into service on the present occasion. Checked by the extraordinary torrent of rain which fell and warned that we were on our guard prepared to receive them, they trembled in contemplation of the enterprise they had undertaken. They saw by the preparation which was made and the decision which was shewn that their effort would be in vain, and therefore recoiled from it. The slave who discovered this conspiracy has merited well of the community. On account of which discovery and the interference of Providence which has been so conspicuously displayed on this important occasion, our most grateful acknowledgments are forever due to the great disposer of events. Occasional patrols may yet be necessary from Captain Austin's troop of Horse, of which he will have due notice. And the detachment from Captain Myers's company of Artillery will continue in service till further orders. By the Commander in Chief

Attest: SAM. COLEMAN Dy. Adj! Genl

TO THOMAS JEFFERSON.

RICHMOND, Sept. 15, 1800.

DEAR SIR, — I find by yours of the 12. that Mr Craven has not recd my letter to him wh was address'd to Sunbury (?) abt a fortnight since. I was apprized by Catlett & Miller of Charlottesville that Mr Craven and Mr Darrelle wished to purchase my land above that town, as they supposed in partnership, and communicated my terms to the former. I will take six dolrs by the acre, of which I must have at least £1000. when possession is delivered, which may be immediately, and the balance as soon as possible. I wrote Miller and Catlett I must have the whole in cash at that price, but will relax from that demand; tho' I think comparatively with the prices given for other land in the county, it wod not be a hard bargain. The improvements cost me at least £600. they are new and good. The tract contains abt 1000. acres. If those gentln or either of them will give me a day I will meet them in Albemarle, to decide the affair. We have had much trouble with the negroes here. The plan of an insurrection has been clearly proved, & appears to have been of considerable extent. 10 have been condemned & executed, and there are at least twenty, perhaps 40. more to be tried, of whose guilt no doubt is entertained. It is unquestionably the most serious and formidable conspiracy we have ever known of the kind; tho' indeed to call it so is to give no idea of the thing itself. While it was possible to keep it secret, wh it was till we saw the extent of it, we did so. But when it became indispensably

necessary to resort to strong measures with a view to protect the town, the publick arms, the Treasury and the Jail, w^h^ were all threatened, the opposite course was in part taken. We then made a display of our force and measures of defence with a view to intimidate those people. When to arrest the hand of the Executioner, is a question of great importance. It is hardly to be presumed, a rebel who avows it was his intention to assassinate his master &^c^ if pardoned will ever become a useful servant. And we have no power to transport him abroad, nor is it less difficult to say whether mercy or severity is the better policy in this case, tho' when there is cause for doubt it is best to incline to the former council. I shall be happy to hear y^r^ opinion on these points. Y^r^ friend & servant.

TO THOMAS JEFFERSON.

RICHMOND, Sepr. 22, 1800.

DEAR SIR,—This will be delivered you by Mr. Peters with whom you are acquainted. He was presented to me in a very favourable light by Mr. Buckly. Unfortunately my situation as he pass'd thro' lately to Norfolk put it out of my power to profit of his acquaintance and the dangerous indisposition of my child deprives now of that pleasure. Our Infant is in the utmost danger & I begin to fear that we shall want that consolation wch. I was abt. to offer to the afflicted Mr. & Mrs. Carr.[1] This business of the

[1] Callender to Jefferson, dated Richmond Jail, September 29, 1800. [Jeff. Ms., 2nd. Ser., Vol. 18, No. 59.] "I have not been able to get any more of the

insurrection encreases my anxiety. The danger has doubtless passed but yet it wod. be unwise to make no provision agnst. possibilities. The subject too presses in the points of view on wch. you have been so kind as favor me with some remarks. 15 have been executed. Several others stand reprieved for a fortnight so that shod. anything occur in the interim will thank you to communicate it. I will attend Darrelle whenever invited so to do. Yr. affectionate friend & servt.

GENERAL ORDERS.[1]

RICHMOND September 25th 1800

The Chief Magistrate has heard with concern of the misconduct of Patrick Donnally and Richard Bennett jun. two of the citizens called into service on the present occasion. He finds the former guilty of disobedience of orders, drunkenness and disorderly conduct while on duty, and sentenced by a court martial to receive thirty-nine lashes as a punishment due to his offences; and the latter of being drunk while on duty, and sleeping on his post as a Centinel, for which offences he is adjudged by a Court Martial to receive twenty lashes. The Chief Magistrate laments that *citizens*, called in to service for the defence of their country, should dishonor that *title*. They ought to shew themselves worthy of the exalted condition of *freemen* in every situation in which they are placed, especially in the character of *soldiers*, where the eye of the observer is sure to criticise their conduct. It requires time to give them the exact discipline of regular

Prospect; but next week I shall be able to send either the whole, or nearly so. I beg leave to enclose a copy of a letter to Mr. Duane on the negro business. It contains some trifles which may amuse. Governor Monroe has, last night, lost his only son. It has come out that the fire in Richmond within these two years, was the work of negroes."

[1] From Letter-book in State Library at Richmond.

troops, but the practice of morality, good order and sobriety belong to private life and ought to be displayed conspicuously when called into military service. A citizen who fails in any of these virtues dishonors himself and the society to which he belongs. The Chief Magistrate hears however with pleasure that the said Patrick Donnally and Richard Bennett junior repent of their said misconduct and promise a complete reformation in their deportment. He is also highly gratified to learn that these are the first reprehensible acts with which they have been charged. On consideration of which circumstances he hereby revokes the said sentences of the said court martial and remits the punishment. He directs however that the Captain Commandant reprimand the said Patrick Donnally and Richard Bennett junior on the ground in presence of the whole Guard and make it known that they are pardoned of the said offences in the expectation that they will never commit the like again.

By Order of the Commander in Chief.

Attest: SAMUEL COLEMAN D^y Ad^t G^r

TO THE MEMBERS OF COUNCIL.[1]

RICHMOND September 28th 1800

GENTLEMEN,—The cause which prevented my meeting you at your last sitting still exists, and deprives me of that pleasure today. You are apprized of the motive of your summons, the apprehension and delivery of Gabriel at the Penitentiary. I send you the papers which appertain to that transaction. It will be proper that advice be given to whom and in what proportions the reward be paid, and by whom his confession, which it appears is promised, shall be taken: and whether in any degree, and on any conditions the faith of the Government shall be compromitted. This slave was brought to my house yesterday about four in the afternoon, and a great crowd of blacks as well as whites gathered round him. I requested Captain Giles who was present to form a guard of fifteen or twenty of the citizens he

[1] From Letter-book in State Library at Richmond.

could collect on the ground and take him under its care to the Penitentiary and continue to guard him there with that number of men, in a separate cell till further orders: holding no conversation with him on any subject, or permitting any other person to do so. The Council will advise whether this additional guard be dismissed or continued for any term.

Mr. Johnston says the arms are arrived. Under the first reply given him the Executive would not decide on the sample. He wishes to know whether they shall be sent to the Penitentiary as a place of safety, at publick expense. Major Quarles's account is also submitted to your consideration.

Colonel Preston has sent waggons for the arms of his and some other counties under a mistake of the purport of the letter I wrote him, which letter will be before you. By a report from Major Coleman it appears those arms are not prepared. You will advise whether this case admits of any remedy by sending other arms hence or from the Point of Fork. With great respect I am Gentlemen &c.

TO THE COMMANDANTS OF THE 12TH AND 38TH REGIMENTS—EACH [1]

RICHMOND October 3d 1800

SIR,—On a presumption the defeat of the late meditated insurrection of the slaves has in a great measure subdued their spirit, it is thought expedient to dismiss the Militia that were called into service for defence of the Arsenal at the Point of Fork. I have instructed the officer commanding there to this effect, and presume by the time you receive this, those respectable citizens will be at liberty to retire to their respective homes. I offer to those of your regiment, through you, my acknowledgment for their good conduct on this occasion. Should any emergency arise hereafter to endanger that post, I have directed the officer to call on you again for suitable aid for it's defence, and have to request you will comply with such application. The dismission of this

[1] From Letter-book in State Library at Richmond.

force however, makes it an object of great importance that you keep out strong patrols, with orders to visit all suspected places. If this is done the country may be considered in a state of safety; but should it be neglected and a relaxation be observed, there is no security that the spirit of insurrection which was lately so bold and daring will not again be revived, with projects equally nefarious, with those that were lately discomfited. With great respect I am Sir &c.

TO COLONEL THOMAS NEWTON.[1]

RICHMOND October 5th 1800

SIR,—I lately received your letter of the 24th ultimo respecting Gabriel, the slave for whose apprehension a reward was offered by the Government, on account of the part he had in the late meditated insurrection of the negroes. This slave will be tried tomorrow, and as his guilt is well established there can be no doubt of his fate. By your letter it appeared he had promised a full confession, but on his arrival here he declined making it. From what he said to me, he seemed to have made up his mind to die, and to have resolved to say but little on the subject of the conspiracy. This affair may be considered as crushed, at least for the present. The militia, that were called into service, are all dismissed except a guard of seventy-five in this city for the defence of the arms, the Capitol and Jail. I should be glad to know if any symptom of a like spirit has been observed, of late, in Norfolk, or the counties contiguous to it. It will give me great pleasure to hear, the fever, with

[1] From Letter-book, State Library, Richmond.

which you have been afflicted, is at an end. As soon as you are at liberty to communicate this agreeable intelligence, the intercourse will be put on its former footing. I should have answered your several letters of late more regularly, had not my time been greatly engrossed, by the commotion excited by the negroes, and the sickness of a child which unhappily terminated in his loss. With great respect, I am &c.

TO JAMES MADISON.

RICHMOND Octr 8, 1800.

DEAR SIR,—I ought to have answered y^{r} last favor sooner relative to an advance made me at Fredbg. but many interesting concerns have prevented it. That advance was I presume made to Mr Jones, as I recollect writing by him to request ab^{t} that sum to be applied to my use there. I think too you advanced him the cash as he paid the debt w^{h} I owed on his arrival at Fredbg; tho' I rather think it was in Septr the year before on his way to the district court. I have seen an interesting paper in several of the gazettes taken from a Paris paper respecting the state of our negotiation with France. By this it appears to be suspended on a strange pretext of our Com^{rs} that we have no right to put France on a footing with Engl^{d}; a pretext worthy the head of a little lawyer but unworthy a diplomatic agent. The insurrectional spirit in the negroes seems to be crushed, tho' it certainly existed and had gone to some extent. 15 have been executed, and 10 or 12 more will be on

Friday next. I have submitted the question to the council whether those less criminal in comparison with others, sho^d be reprieved that their case might be submitted in all the lights in w^h it may be contemplated to legislative consideration; the council was divided & having no vote those not recommended to mercy by the court will be executed. Our best regards to y^r lady & family. Your friend &c.

TO WILLIAM PRENTIS.[1]

RICHMOND October 11. 1800

SIR,—Many interesting concerns have prevented my answering your last letter sooner. A man named Samuel Bird, a free mulatto of Hanover town, was arrested on suspicion of being concerned in the conspiracy of the negroes; he was sent here, committed to Jail, and finally discharged for want of evidence, it being decided that people of his own colour, in slavery, could not give testimony against him. His son, a slave, was condemned, and executed yesterday. I have sent your letter to the examining Magistrates here, and requested they would be so obliging as communicate to you, any thing that occurred interesting to Petersburg; or to me, in which case I shall not fail to transmit to you. The ill success of the project here has suppressed it I presume every where, at least for the present. There is strong evidence that such a project existed being known in many and some distant parts of the State, by the negroes, but

[1] From Letter-book, State Library, Richmond.

yet it is difficult to decide how extensive the combination was. On that point the evidence is less satisfactory; though it is presumable had they made any impression here, even momentarily, we should have beheld a frightful scene in the country. With great respect, I am &c.

TO JOHN DRAYTON.

[LIEUTENANT-GOVERNOR OF SOUTH CAROLINA.]

RICHMOND October 21st 1800.

SIR,—I have been honored with your letter of the 27th ultimo, relative to the late conspiracy of the Negroes in this State, and with pleasure give you the information you desire on that interesting subject. The Court, by whom those who were apprehended were tried, has nearly completed the business, so that it is presumable we have all the light we shall ever obtain from that source. The conspiracy was, in some respects, a formidable one to this State, but we have no reason to think it extended to any State south of us. Had any circumstance occurred to make that event presumable I should have communicated it to you with the utmost dispatch. The conspiracy commenced here, since its chiefs were of this city and neighbourhood. The first attempt was to have been made here, in which had they succeeded, it is probable a frightful scene would have been exhibited for a while through the country, which might have extended to you. Fortunately the plot was discovered, about two o'clock in the afternoon of the day

on which the stroke was to have been given, in consequence of which measures were taken to avert the danger. Much embarrassment too was occasioned to the authors of the conspiracy, by a rain which fell about the time appointed for the rendezvous of the different parties, which prevented the meeting of many who were engaged in it. Being thus checked the Government had time to act with effect, which it did, for from that period it had the entire command of the affair. All who were most active, were apprehended, and those most guilty have suffered the punishment prescribed by the law for so great a crime. Twenty-five have been executed, and a few more probably will be, making in the whole about thirty. According to our present information the conspiracy was quite a domestic one, conceived and carried to the stage at which it was disclosed, by some bold adventurers among the slaves, who were willing to hazard their lives on the experiment, and who counted more on the favorable consequences likely to result from the first effort, which they thought would be successful, than on any very extensive preconcerted combination. If white men were engaged in it, it is a fact of which we have no proof. Should anything occur more fully to illustrate this very distressing incident, I shall hasten to apprize you of it, for I consider the subject to which it refers, in many lights in which it may be viewed, as one in which all the Southern States are equally and deeply interested, and on which their respective Governments, especially in emergencies of

this kind ought to be full and regular in their communications to each other. With great respect I have the honor to be &c.

TO THOMAS JEFFERSON.

RICHMOND, Novr. 3, 1800.

DEAR SIR,—I was very sorry my visit to Albemarle took place when you were in Bedford, especially as the calls of duty here put it out of my power to wait yr. return. Indeed such is the nature of the trust I hold that I can scarcely ever be absent from the seat of govt. I intended leaving Mrs. M. at home and making another visit there before yr. departure, but so delicate is the state of her health at present that I was fearful of the experiment. I have nothing new from any quarter that changes the state of things since the departure of Majr. Randolph, except the arrival of Mr. Ervin from Boston who will probably see you before you sit out for the federal town.

I have yet heard nothing either from Darrelle or Craven. When above I heard the latter had not returned from the neighbourhood of Alexa., whence I inferr'd they were engaged in making provision to purchase my land. I hope they will take it. I think it well worth what I ask, compared with the price of other tracts. If they find difficulty in raising the sum required I am disposed to accommodate as far as I can, but as I sell it to command money, and want all that can be had, I wod. wish you to intimate that only in case of necessity to secure the bargain. Sincerely I am your friend and servant.

TO THOMAS JEFFERSON.

RICHMOND, Novr. 6, 1800.

DEAR SIR,—Mr. Ervin will present you this, who is already known to you under the honourable testamonial of Saml. Adams. He wishes to visit Mr. Madison on his return to this place, to whom it may be of use for you to give him a line of introduction. The Republican ticket has had complete success in this quarter. In Prince George the vote for it was 197, while it was only 9 for the opposite one. In this city it had a majority and of the 5 or six counties we have heard from, the majority was in the proportion of at least 5 for 1 in each, or rather the most unfavourable one. I send you the letters of Mr. Skipwith and Fenwick wch. support the statement in the paper I gave Mr. R. If they will be of any use retain them; if not enclose them to Mr. Madison to be returned me, by Mr. Ervin. Sincerely I am yr. friend and servant.

TO JAMES MADISON.

RICHMOND Novr 7. 1800

DEAR SIR,—I lately made a flying visit to Albemarle with my family in hope the change of air and scene might be useful, but cannot say that much benefit has been derived from it. Mrs M's health is in a very delicate state, but hope it will soon improve. Major Butler passed to the sd lately resolved to aid the republican cause all in his power. From the north we have nothing new except the publication of a pamphlet by Hamilton, the object of wh is to decry

Adams, and throw the British or anti republican vote on Pinckney. I have not read it but am inclined to believe from what I have heard of the work, it will do their whole party more harm than good. I am told it unmasks the views of that party too much not to injure it. I wish Mr Mc Ghehee to take possession of my plantation as soon as possible. If I knew when he wod be there I wod meet him: Petty has been dismissed so that there is no one on the ground.

TO DOCTOR JAMES McCLURG.
[MAYOR OF RICHMOND.]

RICHMOND November 28th 1800.

SIR,—Mr. Taylor informs me it will be impossible to replace the Capitol Bell in less than a fortnight, at the expiration of which time it may be done without fail. The Assembly meets on Monday, and the want of that article, so necessary to regulate some of its movements will be sensibly felt by it. It would be accepted as an act of useful accommodation, if the Corporation would be so obliging as spare us the Market house bell for that term. The publick will defray all charges, and be responsible for the speedy restoration of it. With great respect I am &c.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND, December 1st 1800

SIRS,—It has been the undeviating object and endeavour of the Executive to discharge the duties of

[1] From Letter-book, State Library, Richmond.

the department, since your last session with that degree of diligence and fidelity, which accountable publick agents ought to observe. Its attention has been bestowed equally on those duties that devolved on it by special acts and resolutions of the Legislature, as on those which were prescribed by the Constitution, which latter being of a permanent nature are the same, diversified only by the incidents which occur to every succeeding administration. It belongs to me to give you an account of these transactions for the information of the General Assembly. Such an account fully and fairly rendered, submits to its inspection the conduct of the Executive: over which one branch is the constitutional inquest. It likewise submits such a view of the laws and measures of Government, in their operation, as may assist the Legislature to form a sound judgment how far they severally answer the ends of their institution, and to apply a suitable remedy where they are defective. Under this impression of the duty of the trust reposed in me, I make to you the following communication. The act intituled "An Act to amend the penal laws of the Commonwealth," was one of those which claimed & received an early attention from the Executive. By the 45th section of that Act so much thereof as respects the improved system of criminal jurisprudence, which it was thereby intended to introduce, was suspended in its operation, until the Jail or Penitentiary house should be declared by the Governor with the advice of Council in a situation to receive offenders. It was therefore the duty of the Executive

to remove that suspension as soon as the state of the buildings would permit it. On an attentive examination of the law, it was supposed to be its import, that the operation of the system should not be delayed longer than until the building was advanced to a stage, to be able to accommodate the offenders who might be sent to it from the next succeeding term of the district courts, and of being completed in time for those who might be sentenced to a like doom, from the terms that were likely to intervene before its completion. Due enquiry was then made as to the state of the building. The Superintendent was called on for a report, who represented it to be advanced to a stage, which the law seemed to contemplate, as that at which the suspension should cease. On full consideration of these circumstances, by advice of Council, I deemed it my duty, on the twenty sixth day of March, to issue a Proclamation to announce the same, by which the said system was carried completely into effect. Too short a period has elapsed since the commencement of the law to enable us to form a correct estimate of the probable success of this very humane, and, as I conceive, wise institution. The experiment which is now making in this and some of our sister states, will probably fix the opinion of the World on this important subject. It is therefore highly incumbent on those, who wish it success, to take every suitable precaution, to make the experiment a fair one. In that respect everything depends on the treatment or discipline of the criminals, and their safe-keeping in Jail. With a view to

promote the first object, application was made to the Executives of those States which had preceded us in this policy, for the light of their experience, and such as was received was immediately communicated to the gentlemen to whom the care of our institution is intrusted. On the second point I consider it my duty to suggest a doubt for the consideration of the Legislature, whether the building at present contemplated, will be adequate to the object, without an external wall surrounding the whole edifice. The wall of the jail is not thick; it is much weakened by the great number of windows which were necessary to give light to the cells; and a brick wall may not always prove impregnable to those attacks which may be made on it by the prisoners, should they by oversight of their keeper, or other casualty retain possession of the instruments ordinarily used in the trades to which they may be destined. On the present plan the prisoners may also be aided from without. Approach being admitted to the wall of the jail, their friends or accomplices in former crimes, may convey to them through the windows whatever instruments they please. A permanent guard is the only alternative, which it is obvious, when we take into view the several points to be guarded, must be a strong one. Every window must be watched, and this must be either by a chain of sentinels placed at short distances from each other around the jail, or by patrols, to be kept always in motion. It is therefore submitted respectfully to the consideration of the General Assembly, whether it would not be most expedient equally

with a view to economy, and the safe-keeping of the prisoners, to cause an external wall to be erected of brick or stone, or an iron railing on such foundation, of sufficient elevation, at a suitable distance from the building. Under the existing law the Executive does not think itself authorized to enter into such an engagement; it is proper however to observe, that in consequence of the escape of one of the prisoners it was deemed necessary as a temporary provision, to cause a wall or enclosure of plank to be erected, coextensive with the space in which the criminals are confined. Should this plan be adopted, the early sanction of the Legislature is desirable, since provision by contract or otherwise ought to be now made for carrying the same into effect in the course of the next Spring. There is one other defect in the law above mentioned to which I think proper to call the attention of the General Assembly. No provision is made for the charges attending the removal of the criminals from the districts in which they are condemned to the penitentiary house, for medical aid, or for their support there. Those which have hitherto occurred were defrayed from the contingent fund. They are however a more proper object of Legislative regulation. The distribution of the arms under an Act of the last session was also a subject which engaged much of the time and labour of the Executive. By that act the Executive were authorized to distribute among the several regiments of Militia according to their strength, two thirds of all the arms and accoutrements belonging to the State, after

causing them to be stamped in the mode therein prescribed, comprising as well those on hand, as those that might be procured under existing appropriations. In carrying this law into effect the Executive considers it its duty, to take into view in the first apportionment, equally the arms that were contracted for as those on hand and to make the reservation out of the latter. Had regard been shewn to those on hand only, the number for distribution or reservation was too inconsiderable to become an object in either view. The Executive was further prompted to this arrangement by the consideration that the arms at the Point of Fork, which it was proposed to reserve, were already deposited in the only place of tolerable security in the Commonwealth, were many of them of the best quality, of the same caliber and amounted to about the proportion it were proper to reserve. Accordingly an apportionment was made among the several regiments of about eight thousand stand, four thousand of which were on hand, and other four thousand daily expected, and an order given for their being stamped, in expectation that by the time these were finished the others would arrive. These latter did not arrive till lately, and being only of the quality of the former, and like them much inferior to those stipulated by the contract, were not accepted in discharge of it. They are however in Richmond, and as the Executive are disposed to purchase them at their real value, it is probable they may become the property of the State. Should this be the case, care will be taken that they be stamped and distributed as

soon as it shall be practicable. The first mentioned four thousand were stamped, & their distribution had commenced at the precise time when a domestic occurrence, admonished to suspend the order. Of these a part were necessarily committed under the pressure of the emergency, to the militia of this city and neighbourhood, from whom the whole were not till lately recovered. As soon as they were recovered the distribution was resumed and is now in a train of execution. Five thousand other stand of arms are contracted for, of which four thousand are to be supplied from Philadelphia, and one thousand from the county of Culpeper in this Commonwealth. By the contract for four thousand a number not exceeding two hundred nor less than fifty are to be delivered weekly, of which a part, of arms of the best quality are already received. The remaining thousand it is understood are finished and ready to be delivered. These five thousand stand will also be distributed as soon as they are received. By an Act which passed in 1798, the Governor was authorized with the advice of Council, to cede to the United States the marine hospital at Norfolk, with its lots and appurtenances, on receiving satisfactory proof that the balance due from the commissioners, to the contractor was actually paid. In the course of the last summer that balance was ascertained, in a report from the commissioners, who, from a regard to the circumstances of the claimants, pressed me to make the said cession, to enable them to recover the amount of their claim. I immediately communicated to the President of the

United States the purport of the said Act, assuring him of my readiness to cede the hospital to the said States on the conditions therein specified, if he chose to accept it. By the President's answer and other circumstances that have since occurred, there is cause to believe that this transaction will be soon closed according to the wishes of the General Assembly. By an Act of the last session it was also made the duty of the Governor to convey to the United States, a certain tract of land the property of the Commonwealth, called Gosport, as soon as he should be satisfied the Government of the United States was willing to pay the amount at which the said tract should be valued by agents to be appointed by each party. I caused a copy of that law to be transmitted to the Executive of the United States, and declared my readiness to carry the same into effect on the conditions therein contained whenever a like disposition should be manifested on its part. Commissioners were appointed to make the said valuation, who performed that duty, and I shall hasten to cede the said tract as soon as I am duly notified that the President has approved the valuation and is willing to accept the cession. On the 4th day of February I transmitted to the Governor of Tennessee, a copy of the resolution of the 10th of January last, which proposes to settle the boundary line between the two States, in a mode and on principles which it is presumed that State will readily accede to. I have since forwarded to the Governor of Kentucky the Act of the last Session which confirms the boundary line between

this Commonwealth and that State, as ascertained and established by Commissioners who were appointed by both States. I shall not fail to communicate to the General Assembly the answers which may be received from the Executives of those States. Some time in April last I was advised by a respectable citizen in Norfolk that a magistrate of that Borough had received from the Captain of the Constellation, a frigate of the United States, a person said to be one of the Mutineers on board his Britanick Majesty's Ship the Hermione, that he committed the said person to jail with an order to the Jailor to surrender him to the British Consul on his application; that he was surrendered accordingly to the said Consul who sent him to a British island where he was executed. A conduct so extraordinary, as that alleged, could not otherwise than excite the astonishment of the Executive. Every man within the jurisdiction of the State, is, under certain exceptions, amenable to its laws, and entitled to its protection. If he commits an offence against the sovereignty or other rights of the United States, he is amenable to their Government and laws for the infraction. But the act which was denounced, did not appear to proceed from, or be sanctioned by the authority of that Government. To designate a man within the jurisdiction of a State, as one not entitled to its protection, or that of the United States, to divest him of such protection and surrender him to a foreign power, to be sent abroad, tried, condemned, and executed by the sentence of a foreign tribunal, are important acts of sovereignty in which

the character and agency of the chief publick functionaries should be seen, and for which they are highly responsible. But nothing of that kind appeared in the present instance. No respectful, though strict analysis, by the competent authority, of the respective claims to jurisdiction between the State and the United States, with respect to the fugitive who sought an asylum here; no circumspect examination of treaties between the United States and a foreign power, which ought to precede an act derogating in some respects from the national sovereignty, were heard of. The magistrate who acted was not even an officer of the Federal government, but of this State in which light he was in a peculiar degree responsible to its authority. The act was stated to be summary and peremptory, and strictly that of the magistrate himself. As however this communication compromitted the character of a Consul of a foreign power, and an officer of the United States, as well as that of a magistrate of this Commonwealth, the Executive was careful to observe in the part it took, the utmost deference to the rights of those who were to be affected by it. The information was given in writing by a respectable citizen, but yet that did not seem to be an evidence sufficiently formal and authentic to justify a prompt proceeding under it. It was deemed more consistent with the principles of justice and becoming the character of a free State, to cause the verity of these charges to be ascertained by affidavit, with due notice to the parties, before any step was taken. And as the Attorney General was necessarily

engaged in publick business in one of the superior courts at the time, that trust was committed to George Hay, a citizen of merit and talents by whom it was executed with that degree of judgment and propriety its delicacy and importance required. I am sorry to add that the result of the enquiry did not diminish the presumption that the charges alleged were true. It was deemed of sufficient force to impose on the Executive an obligation to refer the subject to the Attorney General: with a request he would take such measures in reference to the transaction, as in his judgment might be suitable. I submit a copy of all the papers necessary to give a full view of this interesting occurrence to the General Assembly, with whose wisdom it will remain to determine whether any further provision ought to be made by law for similar offences in future. Some time in July last the attention of the Executive was called with peculiar solicitude and sympathy to the situation of Norfolk, which was said to be unhappily visited by a contagious disease. On undeniable evidence that such was the case, I deemed it my duty by the advice of Council, to issue a proclamation imposing quarantine on all vessels sailing from that port to the other ports of the Commonwealth. On subsequent information of a like disease existing at Baltimore, I extended by like advice, the same restraint on all vessels from that port also. As that restraint was imposed with reluctance, you will readily conceive it was removed as soon as there ceased to be cause for its continuance. Happily that period arrived in

November last, when on satisfactory information that the health of those cities was restored the said Proclamation was revoked. The ordinary intercourse between them and the several ports of this Commonwealth immediately revived, and I add with pleasure that experience has justified the act which permitted it. The Act to amend an Act intituled "An Act for appointing Electors to choose a President and Vice President of the United States," imposed certain duties on the Executive, which it was scrupulous to discharge with that degree of attention the high importance of the trust required. Commissioners for holding elections in the several counties of the Commonwealth, were appointed, and Commissions forwarded to them under special precaution for their safe delivery in due time. In almost every instance this proof of the publick confidence was accepted with alacrity by the patriotic citizens in whom it was reposed. The elections were held according to law, and returns have since been made which enabled the Executive to announce the persons who were chosen. The cheerfulness with which this law was received and executed are strong indications that it was highly acceptable to the people; and the character of the Vote given by the great body of electors in favor of the enlightened citizens who are chosen is a conclusive proof of their devotion to the free elective system of Government which happily exists among us. A system which may emphatically be called the offspring of our revolution; and which if it did not absolutely take its origin has certainly received its

highest improvement in these States. You will receive herewith a return of the persons who are appointed electors. The documents on which it is founded are deposited in the Council chamber. As soon as the requisite number of copies of the report of the select committee of the last Session, on the answers of the several of the States to the resolutions of the General Assembly, which passed at the preceding Session, and the instructions to the Senators of this State in the Congress of the United States, were printed, the Executive hastened to distribute them among the several counties of the Commonwealth in compliance with the resolution of the 20th of January last. It is believed that no publick documents, illustrative of publick transactions, however interesting, were ever more generally read or thoroughly approved than these were; nor can it be doubted that the light which they communicated, on the very important subjects to which they referred, tended to increase in a high degree, the confidence of the good people of this Commonwealth, in the wisdom and rectitude of the policy which governed the General Assembly. In connection with that subject it is proper to add, that since your last Session, the sedition law, one of the Acts complained of, has been carried into effect in this Commonwealth by the decision of a Federal Court. I notice this event not with a view of censuring or even criticising it. The transaction has gone to the world and the impartial will judge of it as it deserves. I notice it for the purpose of remarking that the decision was executed with the same order and tranquil submission on the

part of the people, as could have been shewn by them on a similar occasion, to any the most necessary, constitutional and popular Acts of the Government. The constituted authorities and the good people of this Commonwealth are attached to the Union and cherish it with their fondest wishes. The colonization of their ancestors in this western world was generally from the same country, at the same time, and produced by the same cause: they alike groaned under an oppression which repressed their growth and checked their prosperity: they fought and bled in the same battles in defence of the same rights, and have since experienced with unexampled harmony and unanimity, a variety of interesting occurrences which admonish them they still are and ought to remain forever united. The General Assembly and the good people of the Commonwealth have acquitted themselves to their own consciences, and to their brethren in America, in support of a cause which they deem a national one, by the stand they made and the sentiments they expressed of those acts of the General Government. But they have looked for a change in that respect to a change in the publick opinion, which ought to be free; not to measures of violence, discord and disunion which they abhor.

It is my duty to inform you that the office of Attorney General, becoming vacant in the recess of the General Assembly by the death of the late deserving citizen Robert Brooke, it was thought proper to supply the vacancy by an appointment which requires the approbation of the Legislature. By the advice of

Council, I conferred that office on Philip Norborne Nicholas, a citizen of merit and talents, who is thought very deserving of it. There are some other important subjects which claim the deliberate attention of the General Assembly during its present session, particularly that of the late conspiracy of the slaves. I shall hasten to communicate them, being very desirous to promote by all the means in my power the dispatch of publick business. I have the honor to be with great respect your &c.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND December 5th 1800.

SIRS,—An important incident has occurred since your last session, which I consider it my duty to submit fully and accurately, in all its details to the wisdom of the General Assembly. On the 30th of August, about two in the afternoon, Mr. Moseby Shephard a respectable citizen of this county called and informed me he had just received advice from two slaves that the negroes in the neighbourhood of Thomas H. Prosser intended to rise that night, kill their masters, and, proceed to Richmond, where they would be joined by the negroes of the city; that they would then take possession of the arms, ammunition, and the town. He added he had long known these two slaves and had no doubt of the truth of the information they gave him, and that he communicated it to me that the proposed insurrection

[1] From Letter-book, State Library, Richmond.

might be defeated if possible. This communication was very interesting, and the source from whence derived, calculated to inspire a belief it was true. The day was far advanced when I received it, so that if any provision was to be made to avert the danger, not a moment was to be lost. I immediately called in the officers commanding the regiment of Militia & troop of Cavalry in town, and made the best disposition for such an emergency the time would allow. A guard of a Captain and thirty men was placed at the Penitentiary where the publick arms were deposited, twenty at the Magazine, and fifteen at the Capitol, and the Horse was ordered to patrol the several routes leading to the city from Mr. Prosser's estate, and to apprize me without delay, if anything like a movement of the negroes was seen, or other circumstance creating a suspicion such was contemplated. The close of the day was marked by one of the most extraordinary falls of rain ever known in our country. Every animal sought shelter from it. Nothing occurred in the night, of the kind suspected, to disturb the tranquility of the city, and in the morning the officer commanding the Horse reported he had seen but one circumstance unusual in the neighbourhood, which was, that all the negroes he passed on the road, in the intervals of the storm, were going from the town, whereas it was their custom to visit it every Saturday night. This circumstance was not otherwise important than as it was said the first rendezvous of the negroes was to be in the country. The same precautions were observed the next night against

the threatened insurrection and the same report made the next day by the officers on duty, so that I was on the point of concluding there was no foundation for the alarm, when I was informed by Major Mosby and other gentlemen of character from his neighborhood, they were satisfied a project of insurrection, such as above described, did exist, and that the parties to it meant still to carry it into effect. These gentlemen stated facts and gave details, which left no doubt in my mind of the existence of such a project. From this period the affair assumed a more important aspect. It did not seem probable the slaves in this city and neighbourhood would undertake so bold an enterprise without support from the slaves in other quarters of the State. It was more reasonable to presume an extensive combination had been formed among them for that purpose. Heretofore I had endeavored to give the affair as little importance as the measures necessary for defence would permit. I had hoped it would even pass unnoticed by the community. But as soon as I was satisfied a conspiracy existed it became my duty to estimate the crisis according to its magnitude, and to take regular and systematic measures to avert the danger. In consequence I issued a summons to convene the Council at ten the next day, and in the interim advised the gentlemen who gave me the information, to apprehend and commit to prison without delay all the slaves in the county whose guilt they had good cause to suspect. I also gave a like intimation to the Mayor of the city, which advice was duly attended to. When the Coun-

cil convened (on the 2d of September) I laid before it the evidence I had received of the meditated insurrection of the slaves, and asked its advice as to the measures necessary to be taken in such an emergency. The Council concurred in opinion that such a project existed and ought to be guarded against with peculiar care. But as the extent of the danger was not yet known, it was thought sufficient at the time to confine our measures of defence to those objects which it was understood were to be first assailed, the Penitentiary, the Capitol, and the Magazine in this city; and the Arsenal at the Point of Fork. It was natural to conclude the attention of the insurgents would be directed in the outset to these objects; and this presentiment was confirmed by every one who knew and communicated to us any thing of their designs. Accordingly guards were established at those places in this city, and an additional force of fifty men ordered to the Point of Fork. At the same time letters were written to the Commandants of every regiment in the Commonwealth, admonishing them of the existing danger, and requesting that vigilant attention be paid to the police of the country, by ordering out suitable and active patrols in every county. In the evening of the same day about twenty of the conspirators were brought to town from Mr. Prosser's and the neighbouring estates, and as the jail could not contain them, they were lodged in the Penitentiary. The chiefs were not to be found. Some of the arms which they had prepared for the occasion, formed of scythe blades, well calculated for execution

were likewise brought with them. By the information now received as by former communications, it appeared that the inhabitants of that neighbourhood were in a particular degree, exposed to danger: the conspiracy commenced with their slaves, and they were to be its first victims. It was therefore deemed proper, with a view to their safety, by advice of Council, to order from the thirty third Regiment a guard of a Captain and sixty men to take post near Watson's tavern in the centre of that neighbourhood. By like advice the troop of the city was at the same time subjected to such duty as should be required of it. Every day now threw new light on this affair, and increased the idea of its importance. On the 6th by advice of Council, an order was issued for the removal of the powder from the Magazine to the Penitentiary; the distribution of the arms which were stamped and prepared for the several counties according to a law of the last session, was suspended; the whole militia of the city was armed, its guard increased from sixty to a hundred men, and a power vested in the Chief Magistrate to call out such proportions of the militia of Henrico, Chesterfield and the city of Richmond, as in his judgment the emergency might require. The trials had now commenced whereby the nature and extent of the conspiracy became better understood. It was satisfactorily proven that a general insurrection of the slaves was contemplated by those who took the lead in the affair. A species of organization had taken place among them. At a meeting held for the purpose, they had appointed a commander, to whom they gave the title of General, and

had also appointed some other officers. They contemplated a force of cavalry as well as infantry and had formed a plan of attack on the city which was to commence by setting fire to the lower end of the town where the houses consisted chiefly of wood, in expectation of drawing the people to that quarter, while they assailed the Penitentiary, Magazine and Capitol, intending after achieving these, and getting possession of the arms, to meet the people unarmed on their return. The accounts of the number of those who were to commence the movement varied. Some made it considerable, others less so. It was distinctly seen that it embraced most of the slaves in this city and neighbourhood, and that the combination extended to several of the adjacent counties, Hanover, Caroline, Louisa, Chesterfield, and to the neighbourhood of the Point of Fork; and there was good cause to believe that the knowledge of such a project pervaded other parts, if not the whole of the State. At this time there was no reason to believe if such a project was ever conceived, that it was abandoned. Those who gave the earliest information and were best informed on the subject, thought otherwise. It was understood that the leaders in the conspiracy, who had absconded, were concealed in the neighbourhood. And as several of the parties to it were confined in the Jail condemned to suffer death, and many others in the Penitentiary, likely to experience the same fate, it was probable sympathy for their associates might drive them to despair, and prompt them to make a bolder effort for their relief. The opposite effect was expected from the measures pursued by theGovernment, but yet

the result was uncertain. Other considerations presented themselves to view, in weighing the part it was then incumbent on me to take. The number of slaves in this city and its neighbourhood, comprising those at work on the publick buildings, the canal, and the coal pits, was considerable. These might be assembled in a few hours, and could only be opposed by a respectable force, which force if the city was surprised, could not be collected in a short time. The probability was if their first effort succeeded, we should see the town in flames, its inhabitants butchered, and a scene of horror extending through the country. This spectacle it is true, would be momentary only, for as soon as a body of militia could be formed the insurrection would be suppressed. The superiority in point of numbers, in the knowledge and use of arms, and indeed every other species of knowledge which the whites have over the blacks in this Commonwealth is so decisive, that the latter could only sustain themselves for a moment in a rebellion against the former. Still it was a crisis to be avoided so far as prudent precautions could accomplish it. There was one other consideration which engaged the mind in the commencement of this affair from which it was not easy to withdraw it. It seemed strange that the slaves should embark in this novel and unexampled enterprise of their own accord. Their treatment has been more favorable since the revolution, and as the importation was prohibited among the first acts of our independence, their number has not increased in proportion with that of the

whites. It was natural to suspect they were prompted to it by others who were invisible, but whose agency might be powerful. And if this was the case it became proportionally more difficult to estimate the extent of the combination, and the consequent real importance of the crisis. On consideration of all these circumstances it was deemed necessary to call out such a force as might be fully adequate to the emergency; such an one as would be likely to overawe and keep down the spirit of insurrection, or sufficient to suppress it in case it broke out. On that principle I called into service on the 9th the 19th and 23d regiments, and a detachment of fifty men, additional, from the 33d; which detachment with the whole of the 19th regiment and one hundred men of the 23d, were ordered to take post in this city. The residue of the 23d were stationed in the town of Manchester. While there was a hope the report of this conspiracy was unfounded, or a possibility of controlling it in silence, that object was pursued with zeal. But as its existence had become known to the publick, it only remained to make the incident as harmless in other respects as circumstances would permit. Having with a view to the publick safety, called out a respectable force, I was resolved to derive from it all the aid it could yield in reference to the objects contemplated. It was paraded daily on the Capitol square, and trained as well that it might be prepared for action if occasion required, as that our strength might be known to the conspirators. The effect which this measure produced was easily and soon

perceived. It was evident that the collection and display of this force inspired the citizens with confidence, and depressed the spirits of the slaves. The former saw in it a security from the danger which menaced them; the latter a defeat of their nefarious projects. On the 12th of September, five, and on the fifteenth following, five others were executed. On those occasions the whole force in service in the city (infantry and horse) attended the execution. On the 27th Gabriel, one of the chiefs of the conspiracy, for whom a reward had been offered, and who had been apprehended at Norfolk, was delivered up and committed to Jail. As these executions were carried into effect without any movement of the slaves, and their chief apprehended, it was fair to presume the danger of the crisis had passed. It became from that period the object of the Executive to diminish the force with a view to lessen the expense; which object was pursued with undeviating attention. On the 13th it was reduced to 650 men, including those at the Point of Fork. On the 16th to 225; occasional reductions were afterwards made, as circumstances permitted, till finally on the 18th of October, it was reduced to a Serjeant and twelve men at the Penitentiary, and a Corporal and six at the Jail, at which point it now stands. You will receive herewith a copy of the documents which illustrate the transaction, with a report from the Auditor of the expenses attending it: to which is added a letter from the Treasurer, communicating an opinion of the Attorney General respecting payment for some of the slaves who were executed.

I cannot too much commend the conduct of the Militia on this occasion. They were obedient to order, exact in their discipline, and prompt in their execution of every duty that was enjoined on them. Their improvement was rapid and far exceeded anything I had ever witnessed. Nor can it be doubted, had a crisis occurred, they would have proved as firm and decisive in action, as they were patient and persevering in the discharge of every other duty. Their example teaches a useful lesson to our country. It tends to confirm the favorable idea before entertained of their competence to every purpose of publick safety. It belongs to the Legislature to weigh with profound attention, this unpleasant incident in our history. What has happened may occur again at any time, with more fatal consequences, unless suitable measures be taken to prevent it. Unhappily while this class of people exists among us we can never count with certainty on its tranquil submission. The fortunate issue of the late attempt should not lull us into repose. It ought rather to stimulate us to the adoption of a system, which if it does not prevent the like in future, may secure the country from any calamitous consequences. With great respect I have the honor to be, Your most obed. Servant.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND December 12th 1800

SIRS,—Permit me to invite the attention of the Legislature to the situation of the ancient records of

[1] From Letter-book, State Library, Richmond.

our Country. The General Assembly well knows how perishable such documents are, and how necessary their preservation is, to the rights of property and other important interests of society. Unhappily much injury has already been received in that respect which admits of no repair. But the Legislature may deem it an object worthy its attention to perpetuate those which remain. The inclosed letter shews that many such documents have been rescued from the ordinary waste of time, by the provident zeal and patriotism of one of our citizens, who wishes to transfer the valuable deposit to his country. It appears that these also are decaying and may probably soon be lost, if some measure be not taken to preserve them. I submit the letter of that deserving citizen to the consideration of the General Assembly, to which, as it presents to view every idea belonging to the subject, with a perspicuity which it is known, in a peculiar degree, distinguishes the author, I shall only add, that should the Legislature deem it expedient to adopt any plan for the preservation of those memorials, I shall be happy to do every thing in my power to promote its execution. With great respect I have the honor to be Sirs &c.

TO THOMAS JEFFERSON.

RICHMOND, 16 Decr. 1800.

DEAR SIR,—We are yet ignorant of the issue of the election; that is, whether you are ahead of the secondary object. It is believed that every other point is

settled.[1] On this, however, it is best to say but little by post. I shod. not perhaps write you by it, were it not to enquire whether you have seen Craven or heard of him, and what dependence you think I may put in Darrelle as a purchaser of my land above Charlottesville. I wait yr. answer, on rect. of which I immediately set out for Albemarle to make some disposition

[1] Charles Pinckney to Jefferson, November 22, 1800:—"I have just received your favour after an interval since its date of nearly one month. I am to particularly regret your not receiving my communications as I wanted some facts from you to aid me in the very delicate & arduous struggle I have in this State. Finding from my intelligence that the Pennsylvania Senate intended to contend for a concurrent vote in the choice of electors & thus to shield themselves under a pretended affection for the rights of their Branch from the popular odium, I very early perceived that the choice of a President would in a great measure depend upon this States' vote—I therefore very assiduously have attended to this object since June & now wait the issue which is to be decided on Tuesday next—My anxiety on this subject is very much increased by a letter I have received from Governor Monroe in answer to one I wrote him on the subject—He seems to think with me that our State must decide it & that Pennsylvania is very uncertain—Since Mr. Monroe's letter I have seen *that Woods* is elected President of the Senate of that State—This I think is a bad symptom—He is Ross's brother in law—It would if it was possible make me redouble my exertions—I am hopeful we shall succeed & although my situation is truly delicate in being obliged to oppose my own Kinsman (who does not now on that account speak to me) yet urged by those principles it is my duty never to forsake & well convinced that the Election depends on this State I have taken post with some valuable friends at Columbia where our legislature meet & are now in session & here I mean to remain until the thing is settled. I have been told I am to be personally insulted for being here while I ought to be in Washington & that a motion will be made expressing the opinion of one of the Branches that all the members ought to be present at the discussion of the French treaty—But I who know that the Presidents Election is of more consequence than any treaty & who feel my presence here to be critically important, mean to remain & my friends with you, who know the reason, will readily excuse my absence—To weaken the federal Party in our Legislature, which is stronger than I ever knew it, an attempt is made to set aside the Charleston election & I have suggested a new idea to the Petitioners which is to suspend the sitting members immediately from their seats. I inclose you a petition on this subject which at their requests *I have drawn* and they are now debating it. Whether they vote or not I think we

engaged for a term of some months or a year might be had at a moderate price. Being persuaded that we ought not to consider ourselves exempt from danger, from the source referred to, I have thought it my duty to submit the subject to your consideration, in hope the Corporation will make such arrangement as it may deem proper. I shall unquestionably continue to pay all the attention in my power to the police of the city, and to contribute to its safety by a proper application of any means which are or may be committed to the Executive for that purpose. But these can never extend to regulations of the kind above referred to. With great respect I am Sir &c.

TO THOMAS JEFFERSON.

RICHMOND, Decr. 30, 1800.

DEAR SIR,—In case you shod. have recd. the enclosed already, permit me to request you will be so kind as forward them to Mr. Beckley, to whom I promised a copy of both papers: but you will retain them if you have not. It is mortifying the election shod. be attended with any circumstance, wch. checks or delays the expression of the publick will: but I consider the affair as plac'd beyond all doubt. It was natural to expect in the first moment of disappointment, that the party ousted wod. indulge itself in the expression of sentiments that were most likely to irritate their opponents: but I am inclined to think as soon as the passions attendant on disappointment subside that a different train of sentiment, and more

correct views will succeed. It is certain they cannot defeat the object, altho' they may possibly occasion embarrassment, unless indeed our friends, rather the friends of republican govt. shod. yield the ground after gaining the victory. This is surely impossible. I lament that Darrelle does not take my land. I must, however, endeavour to do the best with it I can. We are in tolerable health; Mrs. M. in a more delicate state than the rest of the family. Mrs. Trist who is with us unites in best wishes for yr. health & welfare. Sincerely I am yr. friend & servt.

TO JOHN ADAMS.[1]

SIR,—It would give me great pleasure to have it in my power, on your arrival at the seat of government of this commonwealth, to pay you the attention to which your office entitles you. But you have in that office made an attack on me, by which you attempted to injure my character in the estimation of my countrymen. This attack too was the more extraordinary because it was unprovoked by me, unconnected with the subject before you, & repeating transactions which preceded your appointment to your present office; of course, when I was not responsible to you, nor you to the public for my conduct. Under such circumstances, I consider any attention from me to you, without some previous & suitable explanation on your part, subscribing to the

[1] From a draft in the Monroe Papers endorsed by Monroe: "To Mr. Adams, John,—Supposed that Mr. Adams intended to visit Richmond."

unjust denunciation you made against me, as being highly improper on mine.[1] It is nevertheless much my wish to pay you that attention provided it can be

[1] Alluding to President Adams' reply to an address from the County of Lancaster, Pennsylvania [see The Works of John Adams, Vol. ix., p. 190] The three papers following are from the rough drafts left by Monroe among the loose notes found in his manuscript.

[DRAFT NO. 1 endorsed: "A note founded on the denunciation by Mr Adams in his reply to address from the people of Lancaster"]

J. M. was recalled under imputations of misconduct by Mr W. who retired, leaving in office the ministers who were parties to his recall. Mr. A., who succeeded Mr. W. continued in office the same ministers and adopted his system of policy in all other respects. Of J. M. it is true he made no mention by name, but yet referred to him in his speech to Congress in the extraordinary session, in a manner to recognize the censure that was levelled at him by his predecessor.

When J. M. arrived in the U. S. he called on the administration for an explanation of the motives of his recall, & was answered by the Secretary of State that a succeeding president was not bound to answer for or explain the motives of the acts of his predecessor, intending to create a belief there was just cause of complaint against J. M. tho' none was communicated or avowed.

J. M. then published his view of the conduct of the administration &c

Of late Mr. A. has denounced J. M. in a reply to an address to the people of Lancaster as a person "disgraced for misconduct &c." But no example of misconduct was given or specific charge alleged.

In this state of things ought J. M. to do anything more than he has already done? & if anything what? the general question ought to be first decided as involving a principle of chief importance.

The merits of J. Monroes conduct, as likewise of that of the administration, seem to be fully before the public, in J. M's view of the administration, and on ground favorable to J. M., much turpitude being shown in the conduct of the administration & none in that of J. M. The publication of J. M. it is true being in a book of some size, & of high price, circulates but slowly; yet its circulation will gradually become general & by means of it, aided by other lights, a correct opinion be formed of the conduct of the parties it was meant to illustrate.

But this late denunciation, what effect will it have on J. M? what on Mr. A.? will it not probably promote the circulation & perusal of J. M's book, and a better understanding of the merits of the topics in discussion between them? or will it more probably tend to depress J. M. & prevent the reading of his book? a denunciation, if it was made against a man who had not replied to it, and who did not reply to it, by a president triumphant in his circumstances,

done on terms that will justify me to my own feelings, as well as to the judgment of an enlightened community in so doing, to myself, to you, and the public.

would naturally bear him down: but this is not the case in either respect. J. M. has already replied to this denunciation, and Mr. A. has injured & is still injuring his country by the course of policy, he has pursued. The truth is, J. M. and the administration are equally in judgment before the people & equally true it is, that the present opinion will be influenced, by extraneous causes or such as have no connection with the past conduct of either party, by which alone it ought strictly to be decided. The public will judge of the *past acts* of both parties in a great measure by their *present acts*, altho' the state of things had already changed, & the *present* were the inevitable result of the *past*, which is never adopted on principle in a different situation of affairs. As things now are, France stands arraigned as the enemy of our Country. She is so by law, passed by the regular authority of the Government, and the public opinion to all appearance in many parts of the Union, if not the greater part, disposed to consider any pressure, on the administration, connected with its measures towards France, as a pressure in favor of France, against our country. Thus the administration has gained for the present, against those who have honestly & wisely opposed its measures, by the preacceptancy, violence & extremity of those measures.

[DRAFT NO. 2 endorsed: "An appeal—relating to a controversy with France"]

"I have seen in a gazette from Richmond republished from one of Phila, in a reply from Mr Adams P. of the U. S. the following passage —

I have seen an address from the people of Lancaster to Mr. Adams P. of the U. S. & his reply about which papers were published in the gazettes of Phila, & afterwards throughout the Union. In Mr A's reply is the following passage * * *"

Every one who reads this reply to the &c will perceive that I am the person who Mr A designates by the terms "disgraced minister, dismissed in displeasure for misconduct." Since I was the minister who was dismissed by our administration & who took leave of the Directory of France upon the occasion to which he refers. I therefore am the person whom he denounces to his country in terms thus harsh & opprobrious since every one knows that I was the minister who &c. Against the first measure the prop. of Mr. W. is an object which always occurs. In favor of it, it is to be observed that as he wrote me a letter after my recall in terms of amity, & spake of me in like terms to Dr Edwards the discussion with him might be managed with advantage, as he could not otherwise than feel himself trammelled by those concessions. This it is true might be said in a discussion with any one.

An appeal — whatever J M. does a controversy — in France a movement — his opinion — government has taken its position — Republicans not organized—

The object of this therefore is to invite you to make such an explanation on the above subject as will obviate this difficulty, and enable me to perform an

DRAFT No. 3 "The first question should be well examined first. Ought J. M. to do anything in this case, & if anything what?

1. He may call on Mr W. as the original aggressor and discuss the point with him. Nor can Mr W. evade an answer since he in truth is the responsible person, having committed the act.

2. Or he may call on Mr A. who has thus made himself responsible.

3. Or he may take a seat in the R. ranks & be ready to answer what may be said.

It is to be observed that the merits of J. M's conduct & of the conduct of the administration also are fully before the public, and resting on ground favorable to J. M. Much turpitude is shown in the conduct of the administration & none in that of J. M. The whole of Mr. A's administration too has tended to prove the charges alleged against that of his predecessor, to which Mr. A's administration is only a postscript. It merits consideration whether general denunciations without specific charges & proof, are not best answered by silent contempt. Whether such a conduct on the part of Mr. A's being in union with his general conduct, which is intemperate and unpolitick as every days experience shews, will not contribute to lessen him in public estimation & whether that tendency will not be more promoted by J. M.s reserve than by any step he might take, especially as in the present state of affairs any act he might take might exhibit him as contending for France against his own country. But if any step is taken, he may adopt either of the following—Calumniated by Mr W. who retired from the administration leaving the ministers in office, who were parties to my removal.

Mr A. successor of Mr. W. continued in office the same ministers & otherwise adopted his system of policy in all respects. Of me it is true he made no mention, but yet he referred to me in a manner to recognize the reproach that was levelled at me by his predecessor.

When I (M) arrived he called on the administration for an explanation of the motives of my recall & was answered by the Secty of State that a succeeding President was not responsible for the acts of his predecessor, or might not choose to give an explanation of the motives of such acts. In other respects the answer was equivocal, intended to create a belief there existed a just cause of complaint against me, whilst none was communicated or even avowed by the government.

J. M. then published his views of the conduct of the administration &c.

Lately he was denounced by Mr A in a reply to an address, as a person who was disgraced for misconduct &c But no example of misconduct was stated or specific charge adduced.

office, which in that case would be an agreeable one, because it would exempt me from any improper imputation.

Your own conscience of the injury done me on that occasion, will to a generous mind suggest the proper redress, and I can assure you that I shall meet a spirit of conciliation on your part with a like temper on mine.

TO THOMAS JEFFERSON.

RICHMOND, 3 Jany., 1801.

DEAR SIR,—Mr. Tyler a nephew of the Judge will present you this. He is a young man of respectable talents, sound in his political principles, and of perfect integrity. He visits the federal city from a zeal to be present on the interesting occasion which is at hand, and I forward his wishes by making him personally known to you. Being a member of our assembly, and having attended the last session, you will obtain from him information on everything which occurred here that deserves attention.

I promised and shall send a copy, if I get one in time, of the communication to the Genl. Assembly respecting the late conspiracy of the negroes. But shod. I fail by this opportunity, will send it, by the next mail. Yrs. affecy.

TO THOMAS JEFFERSON.

RICHMOND, Jany. 6, 1801.

DEAR SIR,—Some strange reports are circulating here of the views of the federal party in the present

desperate state of its affrs. It is said they are resolved to prevent the designation by the Ho. of Reps. of the person to be president, and that they mean to commit the power by a legislative act to John Marshall, Sam! A. Otis or some other person till another election. I cannot believe any such project is seriously entertained, because it wod. argue a degree of boldness as well as wickedness in that party wch. I do not think it possessed of. The report, however, has excited a strong sensation here. Some of the legislative body think it wod. be proper to pass resolutions declaratory of the light in which they wod. view such a measure, and that they wod. not submit to it; others for continuing the Session till after the 2d. Wednesday in Feby. to be on the ground to take such steps as might be deemed proper to defeat it. It is generally agreed that shod. the Assembly not be sitting at the time, it ought to be convoked as soon as it was known such an attempt was made. If that party wish to disorganize, *that* is the way to do it. If the union cod. be broken, that wod. do it. But independent of the other motives for preserving it, it wod. be wrong to let these gentry escape in that mode the just reward of their merit. I think such an attempt wod. not ultimately weaken the Union, but be sure to expose the usurpers to exemplary punishment. The Eastern people have no thoughts of breaking the Union, & giving up the hold they have on the valuable productions of the South. They only mean to bully us, thereby preserve the ascendancy, and improve their profits. My only anxiety is

respecting the firmness of the republicans. If they shew themselves equal to the crisis, the danger passes in a moment. Indeed there will be none. But we have been so long accustomed to recede & they to conquer, that I fear the same result even in the present case. As it is possible no election or decision may be made before the 4th of March, ought not our election to take place before that period, that our reps. may then be on the ground? It is said that other States will also then be unrepresented; if so the motive for a change, unless it be general is less urgent, especially as it is known the fedl. party cannot have a majority of all the States. If any thing can be done here that may be useful, we ought to know it in time. I write this by Mr. Erwin & therefore omit details he will be able to give. Sincerely I am, dear Sir, Your friend and servant

TO THOMAS JEFFERSON.

RICHMOND, 9 Jany., 1801.

DEAR SIR,—I rec'd sometime since a letter from P. Carr intimating a desire to act as yr. private Secy. in case you were elected President, provided you were willing to accept his services, approved it as an eligible measure on his part, and other circumstances suited. I declined writing you on the subject in expectation of seeing him first and dissuading him from it, from a persuasion as he has a family it wod. not suit him; but being detain'd longer from

Albemarle than I expected, and knowing that many applications will be made you from every quarter, I have thought it best to communicate what he has intimated on the subject. I set out in the morning for Albemarle where I shall see him, and on my return which will be on Thursday next, will inform you what passes between us respecting it. Very sincerely I am your friend & servant

TO THOMAS JEFFERSON.

RICHMOND, 18 Jany., 1801.

DEAR SIR,—I returned here lately from Albemarle to which quarter I made a visit of two days last week. While there I saw P. Carr and conferr'd with him on the subject of my last to you. The idea suggested in my last respecting him, was not originally his own but that of some of his friends who thought a change of scene might be useful to him, and some step of a political kind, the means of his future advancement in the county or district where he lives. He yielded to my objections to it, and indeed seems rather inclined to remain in repose at home than embark in any political pursuit whatever.

It is said here that Marshall has given an opinion in conversation with Stoddard, that in case 9 States shod. not unite in favor of one of the persons chosen, the legislature may appoint a Presidt. till another election is made, & that intrigues are carrying on to place us in that situation. This is stated in a letter

from one of our reps. (I think Randolph) & has excited the utmost indignation in the legislature. Some talk of keeping it in Session till after the 2d Wednesday in Feby.; others of adjourning to meet then. There has been much alarm at the intimation of such a projected usurpation, much consultation, and a spirit fully manifested not to submit to it. My opinion is they shod. take no step founded on the expectation of such an event, as it might produce an ill effect even with our friends, and the more especially as the Executive wod. not fail in case it occurred to convene the legislature without delay. While up the second carpenter, who has a father-in-law in Georgetown, a clerk in some office, fell from some part of your building & expired in a few hours in consequence of the contusions he recd. Our Assembly has done little business since its meeting. They made a series of experiments to unite in some measures to prevent or suppress future negro conspiracies, without effect. I think it will adjourn in a few days. Sincerely I am, dear Sir, your friend & servant

TO THOMAS JEFFERSON.

RICHMOND, 27 Jany. 1801.

DEAR SIR,—The Assembly adjourned on Friday last in confidence shod. any plan of usurpation be attempted at the federal town, the Executive wod. convene it without delay; a confidence which was not misplac'd. Yr. friend & servt.

TO COLONEL THOMAS NEWTON.[1]

RICHMOND 11th February 1801

SIR,—I have your letter of the 4th instant. Captain Barron's conduct in seizing an American vessel engaged in the Slave trade, was proper and commendable. That trade is prohibited not only between Africa and the United States respectively, by their respective Legislatures, but between that country and foreign ports, by American citizens, by a law of the United States. I hope the example which will be made of this defaulter, will deter other citizens from being concerned in so disgraceful a traffic. From a view of the laws of our own State, I am inclined to think the negroes ought not to be admitted into it. The law which seems to be particularly applicable to the case, bears date on the 12th of December 1793, which I beg to recommend to your attention. By the 4th section of that law, if they were introduced it would be the duty of a magistrate to remove them. I do not suggest this with a view to prevent their being landed temporarily if humanity requires, or Captain Barron finds it necessary for his convenience. However I will write you again on this subject in the course of a few days. With great respect I am Sir &c.

TO COLONEL JOHN HOOMES.[1]

RICHMOND 14th Feb'y 8 o'clock P.M. 1801

DEAR SIR,—I have yours by the mail and many letters from our members in Congress, all of which

[1] From Letter-book, State Library, Richmond.

leave the result of the election involved in the utmost uncertainty. In a state of things so critical and alarming, it is important that we have daily communication with our Senators and Representatives, to accomplish which it is necessary that a chain of expresses be established between this and the city of Washington, who shall travel day and night with the dispatches intrusted to their care. It is earnestly wished by the Executive that you undertake to have this arrangement made. It is confidently hoped you may do it, as it is expected you have a spare horse at every stage or may immediately place them at such stages as will contribute to the desired dispatch. The number of men necessary for this purpose with the stations at which it will be proper to place them you are the best judge of. We are satisfied you will incur no useless expense, and the Executive will with pleasure pay what you think reasonable and proper. It is possible an election is made or may be before this reaches you: in which case you will of course perceive that the execution of this plan will be declined. It is proposed the arrangement shall continue while this state of things lasts. If you can execute this plan which it is hoped you will, with the utmost dispatch, you will be pleased to forward the letters the bearer brings, for our representatives, by express, making at the same time the arrangement proposed. It is hoped these letters will reach the federal city tomorrow night, and that on Monday night we may get an answer to them. I have one further request to make, which is that if any mail is on the way at

the Bowling Green or Fredericksburg, you will have it forwarded down tomorrow, and that you add whatever intelligence you have or may receive. With great respect I am &c.

TO S. T. MASON AND W. C. NICHOLAS.

[VIRGINIA SENATORS IN CONGRESS.]

RICHMOND, Feby 18, 1801.

GENTLEMEN,—I have not yet received a line from you on the state of affairs at the federal city, nor from any Representative since Thursday last. Three mails are wanting which induces a suspicion they are kept back designedly to withhold information we should otherwise receive. On Saturday night I sent an Express to the Bowling Green with letters to you & several of our Representatives, from whence they were forwarded by Mr. Hoomes, who established a line of Expresses to the city of Washington to bring intelligence daily from you of what occurred. We have no answer nor do we know anything of what is done there. We have now sent the bearer Mr. Holton a special messenger who may be confided in & who is instructed to proceed & deliver you this unless he hears on the way that an election is made. By him we request information of the actual state & probable result, as on your answer we shall decide whether it will be proper to convene the assembly or not. We trust that none of the Republican States will give ground. If they do all confidence among the Republicans is at an end. But this idea is too dishonorable to be dwelt on. I beg you to dispatch

him immediately with such advice & information as you think proper to communicate. With great respect, I am &c

TO MRS. SHEPHARD.[1]

RICHMOND 23d February, 1801.

MADAM,—Being authorized to purchase the negro man, Tom, one of those who gave information of the late conspiracy of the slaves, for the purpose of liberating him, I shall thank you to inform me the lowest price you are willing to take for him. I doubt not you will take an interest in an event which is intended to benefit a servant, who I understand has at all times been faithful to you, and will meet the disposition of the General Assembly to reward him for an act of signal merit, with a spirit equally just and benevolent on your part. With great respect I am, Madam, Your very obedt servant.

TO THOMAS JEFFERSON.

RICHMOND, 3 March, 1801.

DEAR SIR,—Yours of the 15th (last) was left here by Mr. Tyler while I was on a trip to Albemarle. The necessity I was under of remaining here while the affr. at Georgetown was depending had delayed some arrangements on my plantation of importance to me. As soon as that affr. was settled I went up for a few days and was sorry to find on my return that Mr. Tyler had passed in my absence. I lose the

[1] From Letter-book, State Library, Richmond.

details he wod. have given me, but only details, for knowing the men & the dilemma they were in, I presume I am not much at a loss for the spirit wch. animated them. A compromise of any kind wod. have ruined the republican interest of our country. It wod. have confounded parties & principles, thereby bewildered the understanding & checked the ardour of the people. It wod. have covered in part the past enormities & propped the declining fortunes of the tory faction. There is no political error more to be avoided, than a step wch. gives cause to suspect an accommodation with that party, or coloring to an opinion it is feared or respected. Such a step wod. shake the republican ranks, & prove the foundation of a growing interest to its antagonist. The royalist faction has lost deservedly the publick confidence. It will sink under its own weight if we leave it to itself. I hint this to remind that in the course I took, I wod. never consider, what was likely to pass the Senate, but what in itself was just & right, pursuing it with decision, & risking the consequences with the people. By such a course, the Senate will be driven before the wind. In a spirit of accommodation it will daily gain ground, be call'd a Spartan band & the republican cause be overwhelmed. Be assured, with the leaders of the royalist party you will never have a friend. With principles so opposite, it is impossible you shod. The way is to drive off the mass of the people by a wise, firm, yet moderate course, from those leaders, and leave them to the ignominy they merit. The spirit of the republican

party must be supported and preserved, which can only be done by a bold and magnanimous policy. When you came into the admn. of this State the firmness and decision which you shewed in the case of Hamilton[1] at the time when Washington suffered our people to perish in the jails & prison-ships of N. York, by a pusilanimous and temporizing policy, advanc'd yr. fame & served the cause. The publick opinion expects some tone to be given yr. admn. immediately & it will not long balance before it is formed, on the subject of what they are to expect from it. There is a conflict of principle & either democracy,—that is the govt. of the people,—or royalty must prevail. The opposing parties can never be united, I mean the leaders of them ; because their views are as opposite as light & darkness. You always had the people and now have the govt. on yr. side, so that the prospect is as favorable as cod. be wished. At the same time it must be admitted you have much trouble and difficulty to encounter. Many friends may grow cool from disappointment ; the violent who have their passions too much excited, will experience mortification, in not finding them fully gratified ; in addition to which it is to be observed, that the discomfited tory party, profiting of past divisions & follies wch. have contributed much to overwhelm them, will recruit their scattered force agnst. us. This party has retired into the judiciary in a strong body where it lives on the treasury & therefore cannot be starved out. While in possession

[1] Governor Henry Hamilton.

of that ground, it can check the popular current which runs against them, & seize the favorable occasion to promote reaction, wch. it does not despair of. It is a desperate party because it knows it has lost the publick confidence. It will intrigue with foreign powers & therefore ought to be watched. Your difficulties will indeed be great, yet I trust and believe you will surmount them, if you will pursue the dictates of yr. excellent judgment rather than the benevolent suggestions of yr. heart. I have written you in haste for the post, and have sought to throw intelligently my ideas before you, rather than to give them form, being perfectly satisfied you will properly appreciate the motive wch. has led me into the freedom of this communication.

Most sincerely & affectionately yours.

You see that Adams has done everything in his power to embarrass yr. admn. In some of his appointments, too, he has nominated his enemies to strengthen his party. This shews that personal hatreds are sacrificed to the good of the cause.

TO GEORGE WILLIAM ERVING.

RICHMOND, 5 March, 1801.

DEAR SIR,—Your letter by Mr. Tyler was left here while I was on a visit to my estate in Albemarle. While the election was depending at Georgetown I was forced to remain continually at this place, in consequence whereof some arrangements of importance to me were delayed; as soon as that affair

ended I went up & was unfortunately absent when he passed. If Mr. Jefferson had formed his administration, the course would be direct, since I might forward your views, without giving an opinion or appearing to do it, on any of his measures. But while things are in this immature state, you will perceive there is much force in the difficulty I suggest. In this situation I have taken the only step which appeared to me to be practicable, to enclose you a letter to him, leaving it with you to present or forward it to him at such time as you deem most suitable. It is not necessary that you should act in it, if more agreeable to you not to do it. It may be direct from me to him if you prefer, as indeed it is substantially. If I waited till his arrangements were made, before I intimated your wish it might be hurtful to you. This letter will give you all the aid in my power in a manner most consonant with the respect which I owe to him & myself.

I thank you very sincerely for your friendly interest which you take in my happiness & welfare. I can never look back on what occurred during a certain portion of my life, without having my feelings peculiarly excited. We will look forward to a better state of things under a better & wiser administration. I write in haste for Mr Voss who promises to deliver this to you. . He is a young man of merit, a good republican. I see Mr Lee is appointed consul to a port in France which I rejoice at. I have received his paper & shall write him in a day or two. Sincerely &c.

TO PHILIP SHEPHARD.[1]

RICHMOND, 5th March, 1801.

SIR,—Although I am inclined to think the price which is asked for the slaves Pharoah and Tom too high, compared with that which is given currently for slaves of the same age, who have acquired no trade, yet I have resolved to give it. The respect which is due to the service rendered by them in discovering the late conspiracy of the slaves, and to the benevolent views of the Legislature who meant to reward them for that service, forbids the Executive to hesitate between the price which you ask, and any idea entertained by it, of their probable value. Whenever you will be pleased to call, I will give you an order on the Treasury for the price asked, at which time I will thank you to bring these men with you that they may receive the Act of emancipation as the reward of their virtue. As it appears that some of the parties interested in the slave Tom are minors, it it expected you will give an indemnity against their claim when they arrive to maturity. With great respect I am Sir &c.

TO THOMAS JEFFERSON.

RICHMOND, 5 March, 1801.

DEAR SIR,—Permit me to present to yr. acquaintance the bearer Mr. Voss of Culpepper county, a young man of merit, who has expressed a wish of being personally known to you. He is a lawyer by profession, of respectable standing at the bar, and a

[1] From Letter-book, State Library, Richmond.

fair prospect of becoming eminent if he pursues his profession. He intends making a visit this spring to the South, and hearing that it is proposed to adjust the boundary line between the U. States and Georgia wishes to be employed in that service. I am not acquainted with Mr. Voss's proficiency in the mathematicks, but am persuaded he wod. not accept the trust if he did not think himself competent to the discharge of its duties. With great respect & esteem I am, Dear Sir, yr. obt. servt.

TO AARON BURR.

RICHMOND 15. March 1801.

DEAR SIR,—Mr. Fenwick has requested me to state to you what I know of his conduct while acting under my ministry with the French Republic. Altho' it would be more agreeable that no appeal should be made to me, on subjects of this kind, yet it is impossible to withhold my evidence, where it is called for by the party interested, under circumstances like the present.

When I went to France Mr. Fenwick had more weight with the French government than any other person. He was an American who was believed to be attached to the interest of his country & had weight on the concerns of his country. I recollect that his attendance at Paris & attention to the affairs of the Bordeaux Embargo, was generally spoken of as an incident which formed an epoch in our political history there. His service on that occasion is universally known in both countries.

This was intended however as a critique on the conduct of our minister; it nevertheless showed in what light Mr. Fenwick stood.

Mr Fenwick was afterwards denounced to our government for protecting in some form a shipment of money to this country the property of France, and I was requested to inquire into the transaction, & empowered to suspend him if I thought fit. He made his explanation to mę which I transmitted to the government for its decision, continuing him in office till I should receive it. I never heard from the administration afterwards on the subject, in consequence whereof he remained in office when I left France. The account of that transaction is to be found in my correspondence.

I afterwards heard it intimated that Mr. Fenwick was engaged in privateering, of which I never saw any proof. Like information was also made of others, perhaps in all cases without foundation. If such had been presented I should have communicated it to the administration; but none ever was. If such exists it is a justifiable cause of censure. On my own part I add with pleasure that I found him on all occasions, an active & able & faithful public officer. With great respect &c.

TO THOMAS JEFFERSON.

RICHMOND, 18 March, 1801.

DEAR SIR,—I acknowledged yours of the 7th. by Mr. Camp who went on some days since. I shod. have answered it more fully before this had I not

been prevented by indisposition from wch. I am nearly recovered. Your address has been approved by every description of persons here. It is sound and strong in principle, and grateful to the opposite party. With your judgment, views and principles it is hardly possible you shod. go wrong. Indeed I count on the good effects of yr. admn. being felt in favor of republican govt. abroad as well as at home. (Still there are dangers in yr. way which it is necessary to shun.) These are seen by you and therefore it may be useless for me to notice them. There have been two parties in this country, one whose views are honest, benevolent, republican; the other with views unfriendly to the rights of the people. The latter has enjoyed the govt. for 12 years past and greatly abused the trust. It was under a firm conviction of the misconduct and improper views of that party, that the people gradually withdrew their confidence from it, till at length they drove it from the govt. altogether. It was on this principle that the late change in the admn. was made, not by accommodation on the part of the republicans, who sought nothing unreasonable & therefore yielded nothing, but by the honest part of the federalists abandoning their leaders when they saw their confidence was misplac'd & uniting their force to that of the republican party. It was also on this principle that you came into the admn., one whose past conduct entitled him to the confidence of the republicans, and secured him the unrelenting hatred & persecution of their opponents. The object now is to restore the govt. to its principles, amend its

defects, reform abuses and introduce order and economy in the admn. The republicans will of course unite in support of such a system, as I presume all those who lately came over likewise will. These *two* descriptions of persons may be considered as *one* in principle. I mean the bulk of them. Their separation was momentary, may be trac'd to causes which no longer exist; the present union is therefore natural. If they are kept together, which will be easily done, the overthrow of the opposite party is as final as it is complete, since if they had sufficient strength to eject that party from the govt., when supported by the govt., now that they are in power they have little to fear from their adversaries, who are without power and without character. But new converts may shift again & go over to their former leaders. Some attention is due to them to prevent such a step on their part. I do not think there is much danger of such an event, or that the apprehension of it shod. produce much effect on the measures of yr. admn. What brot. them over lately to ther epublican side? A conviction of the misconduct of those leaders, and the danger of the crisis to wch. they were brought, together with the firmness of the republicans. So strong was that sentiment that it broke the tie of former connection, prevailed over former compromitment and enabled them to abandon old friends and unite with old political enemies. A union broken under such circumstances, with so much violence, is not easily repaired. It usually leaves a coolness, often a hatred between the parties. This is probably

the case in the present instance ; be it, however, as it may it is not to be presumed that these men will go back under yr. admn., wch. secures their persons and property, & cherishes their principles, wch. were lately jeopardized, to join those leaders who had brought them to the brink of ruin, and who on that acct. they abandoned. I admit, however, these new converts shod. be cherished, but it shod. be done with care so as not to wound the feelings of those who have deserv'd better of their country & of mankind. I am persuaded that any marked attention from you as yet, by wch. I mean advancement to office, of any of these persons, would be impolitick as it might lessen the confidence of the republicans in yr. admn. I am satisfied such a step in favor of a distinguished character on their side, wod. produce the worse possible effect, not with the uniform republicans only, but with those who have lately come over. The former wod. feel and express their disappointment ; the latter would be confounded and begin to suspect they had abandoned their late leaders, if not without sufficient cause in point of principle, yet on an over estimate of the danger which impelled them to it. An attention of the kind referred to, to a distinguished character on that side, especially at the present time, wod. erect the standard of the party in yr. own admn. under yr. own auspices, with an invitation to its scattered members to rally round it.

But is it sufficient that the favor of the present admn. shod. be withheld from the members of the

former one and its most distinguished associates? Have they committed crimes or been calumniated by their enemies? If the former is the case or even presumable, ought such countenance to be shewn them, as tended to stifle the publick resentment, or check the freedom of enquiry, especially in the legislature which has yet to pass on them? Much abuse is suspected to have been committed in every department of the most vulgar, gross, & corrupt kind. Ought not this to be probed into, and wod. not an impartial inquiry into it, contribute much to aid the republican cause & separate forever these new converts from their ancient leaders. If the latter are really guilty, and it is proved, there is no danger to be apprehended from them afterwards. None who have already parted from, will ever rejoin them. And that they have been sufficiently guilty of one act or other of a reprehensible, if not criminal nature, to dishonor them forever I have no doubt. The command of the political fortunes and treasury of America, by such subaltern low-minded men, was a trust of wch. they were quite unworthy. We have much cause to believe they were not able to withstand the temptation. The evidence of their guilt it is supposed exists in such departments, if not destroyed & if destroyed that ought to be known. I do not urge the propriety of yr. taking a part in such concerns otherwise than by avoiding compromitment, leaving the door open to free investigation, and separating the commencement of yr. admn. by a distinct view in every department of the actual state of things from

that wch. preceded. Neckar rendered an acct. when he left office. Ought not an acct. to be taken, considering what is passed, & render'd by the heads of departments to shew in what condition you found our affrs. when you came into office? Is it otherwise possible to do justice to yr'self or those who preceded you?

Deprivation from office in subaltern grades is a different thing. The principle is sound that no man ought to be turned out for mere difference of political sentiment, since that is a right in wch. he ought to be protected. Whether this shod. be construed so as to cover and protect all those who gained their appointments by violence, at the expense of those who lost them on acct. of the inflexible virtue, or whether violence and partizanship alone when carried to great excess ought not to be made examples of are interesting points wch. merit great attention. I am persuaded that much of the unhappiness and misery to wch. our society has been subject, is owing to such conduct in the federal officers in every State. It is to be feared too, such men will never contribute much to the restoration of that harmony, in whose destruction, they had so distinguished an agency. By retaining them in office you will give a proof of tolerance, moderation & forbearance, which must command the respect of the benevolent. Your situation is new and has its difficulties which I doubt not all parties will consider & make allowance for. I have trifled longer on this subject than I intended. I have done so from the interest I take in yr. own as

well as the publick welfare, being sincerely your friend & servant.

It will give me pleasure to meet you in Albemarle if in my power, the first week in April, as I hope it will be.

TO THOMAS JEFFERSON.

RICHMOND, 23 March, 1801.

DEAR SIR,—My present and past employments have made me acquainted with many deserving men whose demands I cannot resist to make themselves & their views known to you. I must mention several at present with whom I stand in that predicamt. lest by withholding their pretentions longer, a reliance on me for that service might possibly expose them to injury. David Gelston of New Yk. wod. be happy to accept the collectorship of that city shod. it become vacant. He was a firm patriot in our revolution. I knew him in 1784 when he was a Senator of that State, which office he has generally held since, as I believe he did for several years before. He was always a republican and a bold supporter of the cause when it was most dangerous to support it. He is a merchant who trades within his capital, of respectable abilities and unimpeachable integrity. I became acquainted with him the year you went to France in a trip to fort Stanwix with Govr. Clinton himself & others. Govr. Clinton, and I presume many others will write in his favor if necessary. William Lee of Boston lately nominated by Mr.

Adams consul to Marseilles. He is a sensible deserving man, sound in his principles and amiable in his manners. He was nominated reluctantly by Mr. Adams at the instance of Mr. Gerry who put him at a port where he wod. do nothing. He wishes to be brot. more into the busy world, as he has a family dependent on his industry & success. He is the person who brought Pichons[1] pamphlets wch. gave occasion for so much noise & scandal at the time. That transaction has been explained much to his honor, and his conduct since has justified the good opinion I formed of him in Paris.

Mr. Forbes of New York formerly Mass. had a letter from me to you. He likewise was nominated by Mr. Adams to some port in France. I think him an honest man, of good understanding, and worthy attention. Tho' friendly to Mr. Adams's admn. yet he was disliked by him & those under him for his liberality. I enclosed to Mr. Madison Mr. Skipwith's letter to me mentioning his & the wish of Joel Barlow for employment. They are both known to you. I hinted to you I was persuaded Mr. Erving wod. be gratified with some employment abroad wch. wod. enable him to advance his own fame in support of yr. admn. I have the highest opinion of his honor, his principles, & merit. His pretentions are moderate, and altho' he wod. like some diplomatic agency, such as chargé des affrs. or even secry.-ship at London or Paris, yet he wod. act as consul genl. to London. His delicacy wod. not permit me

[1] Chargé d' affaires from the French Republic and later Consul General. Author of *Lettres d'un Français à Pitt.*

to penetrate so far into this as was necessary to explain correctly his views. You are doubtless informed of his standing at Boston, and what his pretentions growing out of it are. I think I mentioned Mr. Prevost, Mr. Beckly & some characters in this State in a former letter. Sincerely I am, dear Sir, yr. friend & servt.

TO GEORGE W. ERVING.

RICHMOND, Mch 24, 1801.

DEAR SIR,—I have your favor of the 14, and by the same post my letter to you enclosing one to Mr. Jefferson, which I had committed to Mr Voss of this State, who went to the federal city just after you left & the tavern keeper with whom you lodged not knowing your address, Mr Voss returned it to me. When your preceding letter arrived I was in Albemarle, to which cause it was owing you did not hear from me at the federal city. I had enclosed you a letter to the President to avail you of what little aid I could render you at such time as might be most suitable. Not knowing what the President's arrangements might be & apprehensive by the apprehension his arrangements might be made with too much despatch, for you to communicate with me after knowing what they were to be in time to enable me to advance your views to any particular object, and could not account for my not hearing from you until my letter as above stated was returned to me. On the evening I received it, I wrote Mr Jefferson on your subject, which I treated with the delicacy

you might desire. To that letter I have no answer, nor do I expect one, as I called his attention to the object in a manner not to require one.

You may be assured that I feel an interest in your welfare & will not fail to promote it as far as in my power. I have written Mr Jefferson in favor of Mr. Lee; as I never did consider Mr Lee culpable in respect to the letters which he brought from France or rather pamphlets, for I had formed so favorable an opinion of his honor & integrity, that I would credit nothing to his prejudice on light ground, I had no difficulties of weight to surmount, in interesting myself in his favor.

Had my impression been more unfavorable the strong manner in which you urge his pretentions would remove it. I sincerely wish him success in life, and as the first step in the restoration of his fortune that he may obtain such a station in the consulate as may be acceptable to him. But is he dissatisfied with Marseilles? Have you received a letter from me enclosing one to him, which was written while you were at the federal city? Mr. Hichborn & Genl. Hull have been so kind as make & send me affidavits of what they knew of the motives which induced me to purchase the house in which I lived in Paris. Their statement is correct & I sincerely thank them & Mr. Lee for this mark of their attention. They seem to anticipate a publication of them; but you will recollect that was not my object in wishing to possess them. I have no plan of that kind in view at present: for my standing here thro' life placed

me quite above any imputation of that kind; & so much did I think it beneath me to notice calumnies of the kind that it was never 'till after I received from my country proof they had no weight, that I thought of seeking the means of refuting them. Still I am happy to possess them, & feel myself much obliged to those gentlemen for their kindness in furnishing them. Will you be so good as communicate this to them, & likewise make a tender of my best regards to Judge Tudor, for whom I have the highest esteem. I shall write those gentlemen soon, but lest I should not beg you not to forget to protect me against the omission. I shall be happy to hear from you when at leisure & am dear Sir &c.

TO THOMAS JEFFERSON.

RICHMOND April 6, 1801.

Ja^{s} Monroe is happy to inform Mr Jefferson that Joseph Scott the person lately appointed marshall for this district, is the brother of Genl Scott of Kentucky. He was an officer through the revolutionary war, dangerously wounded in one of its battles by which he lost the use of one of his arms, is respectable for his talents, of fair and upright character, and sound in his political principles. It was perhaps impossible to find another man in the State who had so many and such high pretentions to the office, who had so few enemies among those who were opposed to him, and whose appointment wo^{d} give such general satisfaction to the community at large.

TO THOMAS JEFFERSON.

RICHMOND 29 April 1801.

DEAR SIR,—I am inclined to think the mode by which a certain end is to be accomplished, referring to a subject in discussion when I last saw you, is of less importance than I then thought it. A gradual operation will not offend republicans, nor will an off-hand entire one, make friends of the tories. Sooner or later that party will rally and make another effort. That course which best preserves, at the height the spirits of the republicans, and gives the tories least hold, is the soundest. The point in question is a subaltern one of no great importance any way. There is another object to which I found the attention of the republicans here, comprising many from the country who are attending our ct. of appls. & the federal ct., drawn with much more anxiety, that is the propriety of continuing Mr. K.[1] at the British ct. I will endeavour to communicate some thing on that head in my next. I am at present too much indisposed with the consequences resulting from my late journey. Your friend & servt.

TO THOMAS JEFFERSON.

RICHMOND, May 4, 1801.

DEAR SIR,—I had intended writing you on a subject mentioned in my last, but when I came to act on it, I found it an affair of more personal delicacy than I had anticipated. Between the person referr'd to

[1] Rufus King.

and myself nothing ever occurr'd to restrain me from expressing my sentiments freely on any subject in wch. the publick were interested, but yet I feel that I shod. be the last person in the world who ought to give an opinion in the case in question. After the British treaty was ratified, and the republican party seemed annihilated, the men who then wielded the Executive admn. looked out for objects on whom to gratify their revenge for past difficulties. A packed jury passed on me and I was condemned to suffer whatever their malice cod. suggest or the power of W. inflict on me. But things have changed. I have happily survived the blow that was given me. They have received but will yet more completely receive, from the judgment of an impartial publick, the censure which their misconduct entitled them to. If I interfere in anything which concerns them or any of them, it might seem as if I followed their unworthy example, and sought to indulge my private resentment at their expense. But that is not my wish, nor is it my disposition. I have no such passions to gratify. On my return here I found several respectable characters attending the court, by whom my attention was drawn to the object in question, with some degree of excitement, and I resolved to write you on it. I am now sorry I mentioned the subject, since it has forced me to trouble you with this explanation of my motive for not pursuing it. It is proper for me to add that I wod. not withhold my sentiments on the subject if I saw that I cod. certainly advance the publick interest or serve you by communicating them.

But I do not perceive that in this case I can do it. The question is interesting and a doubtful one, and I well know that it will be maturely weighed & wisely decided by those with whom the constitution has plac'd it.[1]

[1] Monroe had drafted the following on the above subject; but as his endorsement indicates did not send it:

"RICHMOND, 30 April, 1801.

DEAR SIR:—On my return I found here Colo. Taylor & some other respectable characters attending the Courts, & from him & one or two others, who spoke of it, understood it was their opinion it was generally expected & wished that our present Envoy at London should be withdrawn. They think nothing is done unless that is done. That as every calamity foreign & domestic which we have experienced has proceeded from Great Britain, a person known to be friendly to her interests, acquainted with our interior, able to guide her councils & plan her measures against us, ought not to be left there under the present administration. It is an important question difficult to be decided. I am aware that the strong argument for keeping him there is that the federal party is thereby in some sort made responsible for the good conduct of that power & that by removing him, the responsibility is transferred to the administration. Many considerations are to be taken into view before a proper decision can be formed. What effect will his recall have on the English Court? What on other powers? What in the United States? England does not love us nor will she take a step favorable to us otherwise than as she is prompted to it by her interest. His continuance there will be considered by that government as a proof that the present administration does not think itself solidly founded at home, that it dreads the English power & is resolved to keep terms with it at all hazards. His removal will be considered a measure of tone & a proof that the administration is confident in its strength & purity of its views, & that it will not retain an enemy in its councils for the purpose of accommodation at the hazard of principles. His recall will not be deemed an evidence of hostility to England, but the result of the late change or revolution in America, & of self respect in the administration. A new minister would command more weight & be better treated in England, provided it is not the interest of her government to make war on us which I think they have not contemplated since the retaking of Toulon. When Jay arrived in England, that government was disposed to crouch, but he crouched & prevented it. Since that they have had the party handcuffed as they pleased. We now stand on more favorable ground with the power than we then did, in reference to its interior & the state of the war & events at home are of a nature to inspire confidence in the success of any sound measures which have the public good in view. Other powers would view the measure in the

There is a subject to which I wish to engage yr. particular attention. Before I came into this office I was of opinion that the correspondence between the Executive of the Genl. Govt. and a State shod. be conducted as between parties that were mutually respectful but equally independent of each other. My idea appeared to me to be sound; indeed incontrovertable in principle, and it was matter of surprise how a contrary practice had been adopted. Each govt. is in its sphere sovereign, so far as the term is applicable in a country where the people alone are so, the State govts. do not derive their authorities from the general govt.; they are not established by its ordinances, or accountable to it for their admn.

---

same light that England would & so would the people of these States. All those friendly to republican government, all who wish the overthrow of the British Maritime power would rejoice at it. Still it would not be a measure to compromit the administration as to its future conduct. A demand of justice relative to injuries, a proposition of liberal explanation of the late treaty in regard to us, when the crew composed of St Greaves &c were dismissed, being made by a minister representing & possessed of the confidence of our administration would be heard with attention, as would any intimation he might give that we were disposed to remain in peace with them. It seems probable that such a step would produce immediately a good effect in England & that it might lead especially if the northern coalition pressed her, into very beneficial consequences. In the councils of old & corrupt governments interest alone sways. Sacrifices even when they are commanded by principle & justice are never made but thro fear. If any effect is produced it will be the tone of our administration supported by events that produce it. No minister can have in himself much weight. One not in the confidence of his government will make weight in the other scale. Yet while an agent of the federal party remains there, he will have the credit of any accommodations that are obtained, altho' from the nature of things he must check the spirit which produces it, & diminish the extent. You see by what has lately occurred at New York that that party does not consider all as lost, & that it will make head against the present administration & temper of the people whenever it can. While it has hold of England or England of it the means are great."

like the frontier govts., or the revenue or other officers of the U. States. Their Executive, legislative and judicial departments, are constituted on the same principles and alike form the governmental sovereignty of each govt. The officers under each constitute no part of its sovereignty; they are agents employed by it to assist in their respective admns. I consider the chief magistrate of the Union in reference to a like character in each State as first among equals, and admit the same priority in the legislative and judicial departments, and the departments under them, where the individual States have correspondent institutions. If this idea is just, it follows that the communication between the two govts. when carried on by the govr. of a State, shod. be with the President of the U. States. To subject the State govrs. to the necessity of corresponding with the officers appointed by the President, seems to place them in the same grade, to deny the right of sovereignty in the individual States, and to consider them as subaltern inferior establishments, emanating from and dependent on the general government. The laws of Congress which establish the departments under the President have no reference to the case in question. They restrict foreign ministers &c. in their correspondence to the heads of departments, and wisely, because they are the agents of their govts.; but that restriction does not comprise the govts. they represent, whether free or despotic. It wod. be extry. if the govt. of a foreign country, by which I mean President, King or Prince, shod. write on publick business to the Secy. of one of

our departments, and equally so if our President shod. write such a letter to a Secy. of any foreign government. If the question of right is settled on the principle I contend for, would it not be proper for you to recognize it in some formal manner, since by so doing you wod. recognize, cherish and support the State governments? It wod. be giving them a Station in the Union to which they are entitled by the constitution but of wch. they have been in a great measure deprived by the proud imperious tone of former admns. It wod. conciliate their govts. towards yr. admn. and introduce a spirit of harmony in our system hitherto unknown to it. In the practice there wod. be no difficulty. Where letters were addressed to the President they might be referred to the heads of departments and replies drawn by them to be signed by him, tho' very probably the present practice wod. prevail, for as soon as the question was established on just and conciliatory principles, the bias of all liberal minds wod. be to dispense with an etiquette which wod. then be no more, the observance of wch. especially with characters more distinguished for their talents and merit than themselves, as wod. generally be the case, cod. not otherwise than injure them. You will be sensible that to me personally this is an affr. of the utmost indifference; indeed in the present state of things that it is peculiarly irksome. I had formed my opinion on the subject before I came into this place, and acted on it shortly afterwards when an occasion presented. The cession of the marine hospital at Norfolk was the subject, which

was concluded, Mr. Adams having replied to my letter. I afterwards wrote him in compliance with a resolution of the General Assembly, respecting the conduct of the British Consul at Norfolk who was charged with receiving of P. Read and sending to one of the British Islands, a person who was said to be a mutineer on board the Hermione frigate, and I sent him at the same time all the documents relative to that transaction. To the last letter I recd. no answer. Perhaps he discovered that I was making a question of the kind above suggested, & was resolved to oppose my doctrine; perhaps the communication offended him as it brought to his memory his conduct in the case of Robins; perhaps his other duties at that late period of his service rendered it impossible for him to act on it. But be the motive of his silence what it might, the fact of his omission to answer prevents my considering the point as being absolutely settled by him. I now bring it to yr. view that you may consider it with due attention. In the interim I have to request you will be so good as inform me, whether the 12000 dollrs., the sum at wch. the Gosport land was valued, the papers respecting wch. were sent to the navy department, will be paid to our order, or deposited here if more convenient to us, to receive it here. The deed was drawn and forwarded by Mr. Hopkins, the loan officer here to Mr. Stoddert abt. Jany. last, with a request that the money might be paid here, which is still preferred. The sum is small yet in the state of our Treasury it is an object of some importance to us.

My best respects to Mr. Madison who I hope has arrived with you in health. Very sincerely I am, dear Sir, yr. friend.

TO JAMES MADISON.

RICHMOND 20. May 1801.

DEAR SIR,—This will be presented to you by Mr Davis a very respectable young man from the State of Kentucky, who among other acquirements wh he deems useful, is making by a trip to the Eastward, that of a knowledge of men and things in that quarter. I beg to present him to yr acquaintance & civilities and to request you will be so kind, and give him a letter of introduction to any person, with whom you are acquainted in any of the Eastern States, who will receive him with the attention to wh he is entitled and forward his views in the object I have stated. If you have no acquaintance with whom you can take that liberty, perhaps General Dearborn will be so obliging as to render him that service. Affecy yours.

TO THOMAS JEFFERSON.

RICHMOND, 23 May, 1801.

DEAR SIR,—I have enclosed you the papers relative to the British Consul at Norfolk,[1] in the affr. of the man who was sent to the Island and as reported executed for mutiny on bd. a British ship. In a private letter some time since I submitted to you

[1] John Hamilton.

a question respecting the mode of correspondence to be observed, between the Executive of the Genl. Govt. and a state, in wch. I gave my opinion freely. I think we are a distinct community resting on ground in some measure peculiar, at present, and that the mode of communication ought to be settled on principle. It is not more important to adjust the exterior than the interior policy of our country; indeed the latter is perhaps more conducive to harmony than the former since it secures internal tranquility & promotes union. And in the light of a question of policy, more than mere etiquette, I view the present one. But to me it is a matter of perfect indifference how you decide it. If you differ with me in sentiment, and think the ch: magistrates of the States shod. correspond with the heads of Departments & not the President, it is very far from my wish that you shod. deviate from your opinion. Let it pass in silence. I shall be happy to receive an answer to any publick letter I write you from any head of Department, or any one else authorized by you, since provided it be not desired for me to relinquish a principle which I adopted on reflection, and acted on with yr. predecessor, with whom I had no motive to seek a correspondence; I wish no more. I have many motives personal as well as publick to support yr. admn., not one to embarrass it. I wish no answer to this or any other letter of the kind. Take what course you please, it shall produce no inconvenience publick or private. Sincerely I am, dear Sir, your friend & servt.

TO JOHN COWPER.[1]

RICHMOND 24th May 1801.

SIR, — I have your letter of the 12th instant, communicating to me your refusal to deliver up to the agents of foreign powers, deserters from the vessels of their respective nations, as exemplified in an application at one time by the British Consul, and at another by the commercial agent of the French Republick, and asking my advice for your future conduct in like cases. It is a delicate thing for the Executive to give an opinion on a subject of the kind. I think proper however to observe for your satisfaction, that your conduct in the cases referred to, cannot be injurious to the parties who made the application, or the nations they represent. If they think your decision an improper one, they have a right to apply to the Government of the United States, which will decide, whether under existing treaties such deserters ought to be surrendered, or any other obligation exists which makes it the duty of our Government to interfere in such cases. If the Executive considers the claim well founded it will prescribe in every port the mode in which it shall be executed, that is, who shall have a right to apprehend such deserters, decide that they are such, and surrender them to the agent of a foreign power. It is very important to cultivate a good understanding with foreign nations, and that object will always be answered when in cases of a doubtful nature which occur in our intercourse with them, the magistrates from prudential considerations

[1] From Letter-book, State Library, Richmond.

decline acting and submit the decision to the Government of their country. With great respect I am &c.

TO THOMAS JEFFERSON.

Jas. Monroe's best respects to Mr. Jefferson. As the person for whose benefit the enclosed was intended has left this for Washington, it is thought best to return it. It is presumed that every thing appertaing. to that object will be settled at Washington with that person; but shod. the contrary be the case, and it be proper to execute any thing here, J. M. will with pleasure attend to it when notified thereof.

RICHMOND, June 1, 1801.

Yrs of the 29. is just recd.—It is to be regretted that Captn. Lewis paid the money after the intimation of the payee of his ruin &c. It will be well to get all letters, however unimportant they are from him. Meriwether Jones is or will be by the time this reaches you at Washington. He has that ascendency over the wretch to make him do what is right, & he will be happy to do it for you. Confer with him without reserve as a man of honor. Mr. Giles will also be up in a day or two. Yr. resolution to terminate all communication with him is wise yet it will be well to prevent even a serpent doing one an injury.[1]

[1] James Thomson Callender was the serpent. The first paragraph preceding the date doubtless refers to the order for money sent to Monroe by Jefferson.—See Ford's *Jefferson*, vol. viii., p. 61.

TO JAMES MADISON.

RICHMOND, June 6, 1801

DEAR SIR,—I have yours of the 1st and have since seen Mr Callender with whom I had much conversation, in which I endeavored to tranquilize his mind, and bring him to view the cause of his disquietude with more temper and candor. I retrac'd the commencement of his acquaintance with the person on whom his displeasure chiefly rested,[1] to show there was no period at which the attentions of that person were not friendly to him, and prompted by disinterested, friendly & humane motives. That this was true prior to a late political change, and was equally so since. I dwelt particularly on the remission of the fine, the dismission of the Marshall, and order for payment, notwithstanding the embarrassment thrown in its way by the Marshall; intimated I shod not be surprised to see an attack on the Executive for those proofs of attention from the enemies of republican govt, altho' they produc'd no acknowledgement from him. That He (Callr) was independant had served the cause from principle, and had no greater claim on that person than on any other citizen for those services. He admitted he viewed the subject in the same light, & if I had understood him otherwise, that I had mistaken him. Still he added that some little office wod greatly accommodate him, and without one he did not know how he shod subsist. That he was tired of the press &c. That with respect to the fine he shod never apply to the Marshall for it.

[1] Jefferson.

On the point of his future subsistence or course of life I wo^d say nothing; on that of the fine I promised to confer with the present Marshall and by means of him sound the late one, whether he wo^d repay the money in obedience to the order of the treasury department, and communicate the result in a few days. Relative to his future course of life a project, he said, occurr'd on which he begged my candid advice. Did I think he wo^d succeed in the law, if he wo^d study it 6 or 8 months. He s^d he w^d bestow the time and attention necessary, and thought he w^d soon make as much noise as Copland & others. He hoped some eminent practitioner w^d direct his studies. I promised him an answer on this point also, when I gave one on the other. I have since seen Edmund Randolph who promised to perform the office with the late Marshall I had expected of the present one. I hope the fine will be repaid, and that cause of inquietude removed. It is probable he might succeed in the law. I see no objection to his making the experiment, especially if his friends wo^d contribute a fund to defray the expense of his board & cloathing for a year. You shall hear from me on this subject again soon; I write in haste for Mr Beckley who leaves this in the morning. Our best regards to Mrs Madison. Y^r frd.

TO ROBERT R. LIVINGSTON.

RICHMOND, June 12, 1801.

DEAR SIR,—Mr. Arthur Lee of Norfolk a member of our Legislature for whom I have an esteem has requested me to introduce to your acquaintance &

civilities, the bearer Mr. Poinsette of South Carolina who is I doubt not very deserving of your attention. Permit me to avail myself of the opportunity furnished by this young gentleman to assure you of the high satisfaction I have in your appointment to France, & to add my sincere wishes that your mission may prove as grateful & honorable to yourself as the auspices under which it is undertaken give you reason to expect it may be. With respect &c.

TO THOMAS JEFFERSON.

RICHMOND, June 15th, 1801.

SIR,—I enclose you a resolution of the General Assembly of this Commonwealth, of the last Session, by which it is made my duty to correspond with you on the subject of obtaining by purchase lands without the limits of this State, to which persons obnoxious to the laws or dangerous to the peace of society may be removed. This resolution was produced by the conspiracy of the slaves which took place in this city and neighbourhood last year, and is applicable to that description of persons only. The idea of such an acquisition was suggested by motives of humanity, it being intended by means thereof to provide an alternate mode of punishment for those described by the resolution, who under the existing law might be doomed to suffer death. It was deemed more humane, and it is hoped would be found in practice not less expedient, to transport such offenders beyond the limits of the State.

It seems to be the more obvious intention of the Legislature, as inferred from the resolution, to make the proposed acquisition of land, in the vacant western territory of the United States, but it does not appear to me to preclude one without the limits of the Union. If a friendly power would designate a tract of country within its jurisdiction, either on this Continent or a neighbouring Island, to which we might send such persons, it is not improbable the Legislature might prefer. In any event an alternative could not otherwise than be desirable, since after maturely weighing the conditions and advantages of each position the Legislature might still prefer that which appeared to it most eligible.

It is proper to remark that the latter part of the resolution which proposes the removal of such persons as are dangerous to the peace of society, may be understood as comprizing many to whom the preceding member does not apply. Whether the Legislature intended to give it a more extensive import, or rather whether it contemplated removing from the Country any but Culprits who were condemned to suffer death, I will not undertake to decide. But if the more enlarged construction of the resolution is deemed the true one, it furnishes in my opinion, a strong additional motive, why the Legislature, in disposing of this great concern should command an alternative of places. As soon as the mind emerges, in contemplating the subject, beyond the contracted scale of providing a mode of punishment for offenders, vast and interesting objects present themselves

to view. It is impossible not to revolve in it, the condition of those people, the embarrassment they have already occasioned us, and are still likely to subject us to. We perceive an existing evil which commenced under our Colonial System, with which we are not properly chargeable, or if at all not in the present degree, and we acknowledge the extreme difficulty of remedying it. At this point the mind rests with suspense, and surveys with anxiety obstacles which become more serious as we approach them. It is in vain for the Legislature to deliberate on the subject, in the extent of which it is capable, with a view to adopt the system of policy which appears to it most wise and just, if it has not the means of executing it. To lead to a sound decision and make the result a happy one, it is necessary that the field of practicable expedients be opened to its election, on the widest possible scale.

Under this view of the subject I shall be happy to be advised by you whether a tract of land in the Western territory of the United States can be procured for this purpose, in what quarter, and on what terms? And also whether any friendly power will permit us to remove such persons within its limits, with like precision as to the place and conditions? It is possible a friendly power may be disposed to promote a population of the kind referred to, and willing to facilitate the measure by co-operating with us in the accomplishment of it. It may be convenient for you to sound such persons especially those more immediately in your neighbourhood, on the subject,

in all the views which may appear to you to be suitable.

You will perceive that I invite your attention to a subject of great delicacy and importance, one which in a peculiar degree involves the future peace, tranquility and happiness of the good people of this Commonwealth. I do it, however, in a confidence, you will take that interest in it, which we are taught to expect from your conduct through life, which gives you so many high claims to our regard. With great respect I have the honor to be your most obt. servant.

TO CAPTAIN JOHN CLARKE.[1]

RICHMOND, June 20th 1801.

SIR,—It appearing to be your opinion, that a trip to the Eastward is necessary to enable you to procure workmen, in the several branches of business, which it is proposed to carry on in the manufactory of arms, the measure is approved by the Executive. You will be furnished with a sum of money sufficient to defray the expense of the journey, and you are at liberty to set out as soon as you find it convenient. In the performance of this duty, it seems unnecessary to give you very precise instructions. You know the several branches of work that are to be carried on in the institution; the number of hands necessary in each; how many of these we may reasonably hope to obtain here; and of course how many it will be proper to procure elsewhere. We wish you to engage as many

[1] From Letter-book, State Library, Richmond.

in each branch on the best terms you can as you deem necessary for the successful commencement and prosecution of the work. But in doing this you will always recollect that you go in pursuit of talents or skill, not men: for if you could obtain artists in each branch as skilful at home as elsewhere, we should not look for them elsewhere. Our citizens of equal merit have a just claim to attention and ought not to be passed by. They form a part of the distinct community; its manners and customs are their own; the contracts which they enter into are between parties equally well informed; they can never reproach themselves with having misplaced their confidence or us with deceiving them. But in bringing strangers from a distance we expose ourselves to all these inconveniences, while the very circumstance of bringing them from a distance, if they have not minds of some elevation, is calculated to inspire them with too high an idea of their merit, and will incur some expense not applicable to those in the neighbourhood. I make these observations as cautionary hints, not with a view to prevent you from engaging any skilful man, or number of men, in any branch, who you may think likely to prove useful to the publick. You are at liberty to engage married men where single of equal merit and skill cannot be procured; and to stipulate, in case of necessity the advance of a sum of money sufficient to erect a small house, on lands contiguous to the manufactory, for the accommodation of each family, on the warranty of the holder, he pledging the same to secure the publick from loss. You may

also stipulate for the advance, on their arrival here, of as much money as will defray the expense of the passage, of those who require it. Your idea of engaging the workmen for the term of three years, subject to being discharged for misbehavior, of subjecting them to the necessity of guarding the building, wearing an uniform dress and observing certain other regulations stated in your letter of the 12th is approved, and you are requested to stipulate these objects in your contracts with them. Whatever service is expected from them ought to be provided for in the contract, since no duty can be imposed on freemen to which they do not consent. It is however to be understood that these extra-duties are not to be insisted on as indispensable conditions to the forming contracts. If the men will enter into them voluntarily, they are to be attended to. As the building is not completed and it is impossible to ascertain when it will be, it would be improper for you to stipulate the commencement of the wages of these men until they are actually called into service. All that can be done with propriety is to contract for the commencement of their wages, on their arrival here, after notice from you, with such allowance as to time, as would enable them to come here, from their respective abodes. I shall only further remark that although there is much reason to confide in our complete success in every branch of business which it is proposed to carry on in this institution, yet as the essay is in some measure experimental in every branch, it may be improper to contemplate commencing it in any

one, on the greatest practicable scale; that economy requires there should be no idle hands in pay: that as you succeed in any branch you might soon carry it to that point, by drawing workmen from every quarter, which would be easily done by means of those who were already engaged. This also is intended as a cautionary hint; it is not suggested with a view to restrain you from embarking in the business as extensively as on mature reflection your judgment shall warrant. You are authorized to purchase the window-glass, iron, paint, lime, &c. necessary for the publick buildings here, in case you find you can procure them on better terms than they can be had for in this state, in any town which you pass, for the amount whereof you will draw on me payable at such sight as you may agree on. Wishing you success in the object of your mission, I am with great respect &c.

TO THOMAS JEFFERSON.

RICHMOND, June 20, 1801.

DEAR SIR,—Hearing that Mr Hay is disposed to seize the few days of leisure which an interval between the courts gives him to visit the federal city with his Lady and that he doubts whether you wod recognize him, I take a pleasure in freeing him from that anxiety. He is really a very able and respectable citizen, one who deserves and will be highly gratified with your attention. At what time will you be at Monticello? I hope to have the pleasure of seeing you in Albemarle while I am there. The season begins to approach

when it becomes dangerous for those accustomed to a better climate to stay here. Very sincerely I am your friend & servt.

TO THOMAS JEFFERSON.

RICHMOND, July 12, 1801.

DEAR SIR,—Having known Mr Taney in France where he was respected by his countrymen, for the propriety of his conduct as a citizen and a merchant and being requested by him to communicate to you the idea I had formed of him there, I comply with pleasure, in confidence you wo^d^ wish to be correctly informed of the character of all those who seek employment under y^r^ administration. I consider Mr Taney as an amiable man, very deserving the esteem of his acquaintance which he was happy in possessing. I have heard many speak of him in terms of high regard, and never heard an unfriendly thing said of him. With great respect and esteem I am Dear Sir sincerely yours.

TO GEORGE CLINTON.

RICHMOND, July 12, 1801.

DEAR SIR,—It does not require the formality of any declaration on my part to convince you of the great & sincere pleasure I take in your election to the Government of New York. You well know how deep an interest I take in whatever concerns you personally, & that this new testimony of the confidence of your country must be highly delightful to me on that account. But the satisfaction I derive

from it is much increased, by a knowledge that this act of justice to you may be considered as a revival of the republican principles of our revolution. I hope the crisis has passed & that every day will more completely contribute to confirm those principles, since thereby only shall we preserve the liberties of America—Hence forward I trust the example of these States will aid the cause of free government in other countries. It is a reparation which is due on account of the injury we have done it, by our conduct for several years past. I beg you to be assured it will at all times give me great pleasure to hear from you, since you are one of my old friends who, having preserved their principles thro' a tempestuous season, have grown in my regard by the persecution they suffered. I commit this letter to Mr. P.[1] who I beg to recommend to your friendly attention. He was with me in France in difficult situations & from a thorough knowledge of his head & heart I commend him to you as a young man of ability, integrity & honor in whom I have the most perfect confidence, & for whom I have the highest regard.

TO THOMAS JEFFERSON.

RICHMOND, Sepr. 25, 1801.

DEAR SIR, —Mr. Arthur Lee of Norfolk has requested me to make him known to you, with which I readily comply. He is the son of R. Evers Lee of that borough who is perhaps known to you. Mr.

[1] Mr. Purviance.

A. Lee is a young man of merit, of wch. his election as a delegate to our Assembly by his county is an ample testimonial. I beg to recommend him to yr. civilities & am with great respect & esteem Yr. frd. & servt.

TO THOMAS JEFFERSON.

RICHMOND, Sepr. 28, 1801.

DEAR SIR, — At the request of Mr. Arthur Lee of Norfolk I have given him an introduction to you, but not knowing his object, think proper to mention that I do not, as the contrary might otherwise be inferred. He is in my opinion a young man of merit, tho' it is not founded on much acquaintance with him. He deliver'd an oration not long since which was well spoken of, and is a republican. He is, however, young; I have heard him spoken of as gay ; and if his object is the attainment of an office, you ought to have much better information of him than I can give. What I here state does not derogate from what I state in my other letter; it is intended only to prevent an inference from it wch. might be drawn without this intimation — Sincerely I am yr. frd. & servt.

TO THOMAS JEFFERSON.

RICHMOND, Nov. 17, 1801.

DEAR SIR,— The arrival of Mr. Purviance in the U. States furnishes me with an occasion to make known to you his merit. He was a member of my family for some time while I was in France, often

present in my interviews with the French govt., and always in my confidence while I remained there, so that I speak of him without reserve, as a man of perfect integrity, excellent understanding & rare prudence. He is a man of delicacy & modesty, one with whom it is impossible to become acquainted & not interested in his fortune. What his views are I cannot say, but whatever they may be I have felt it a duty I owed him to present him to you in the light in which he ought to be viewed.

You will not forget the answer I am to expect from you on my letter relative to the purchase of land for certain purposes. The legislature will expect a communication from me on that subject. With great respect I am yr. frd. & servant.

TO THE SPEAKERS OF THE HOUSE OF DELEGATES, AND OF THE SENATE.

RICHMOND 7th December 1801.

SIR,—The Executive has not been unmindful or inattentive to the duties of the department since your last session. It has endeavored in the discharge of them to satisfy the just claims of an enlightened publick. To the immediate representatives of the people in the General Assembly, a free communication on those and other interesting subjects is due, which I have now the honor to make. . . . On a presumption that it would be satisfactory to the General Assembly to know the progress which had been made in the improvement of the interior navigation of the

country under the laws that were passed to promote it, I requested the President and Directors of the several companies to report a correct statement of what had been performed in their respective departments, and have the pleasure to communicate to you the information which was received on the subject. It appears that this highly important undertaking has been carried on with an activity and zeal becoming the boldness of the design. The obstructions to the navigation of the great rivers the Potowmack and James are almost entirely removed; and the communication between the waters of Elizabeth river and Pasquotank is likewise almost completed. By these improvements the river Potowmack will be made navigable from the falls to George's creek, thirty miles west of fort Cumberland, and more than two hundred above the tide; the river James to Crow's ferry about the same distance westward of its falls, in both instances through a very fertile country. The communication between the waters of Chesapeake and Pasquotank opens a navigation, which is likewise very extensive, and through a country equally fertile. The Legislature will not fail to appreciate fully the importance of these improvements to the general interest of the commonwealth. They will immediately perceive how many thousands of our citizens will be benefitted by them! how great the facility which they give to commerce! how vast the amount of the produce which they invite to Market! how great their ornament to our country! The measures of improvement which I have thought it my duty to

bring to your view especially in the interior navigation of our country, and the publick buildings in this city, are proofs of a policy which is equally respectable for its wisdom and liberality. They exhibit an elevation of mind and a foresight which become the representatives of freemen. They are obviously the offspring of the same spirit which inspired the people of America with the bold design to undertake and the courage to achieve their ever memorable revolution. It is a spirit which ought never to become inactive, but should be cherished, excited and directed to its proper object, the publick good. It is the duty of the patriot to inquire — is no part of our police yet imperfect, is there nothing to be done the accomplishment of which may in any degree promote the interest of society? The enquiry passes in review events and incidents which cannot otherwise than yield much consolation to the philanthropist, much cause for grateful acknowledgment to the supreme Author of all things for the manifold blessings which he has been pleased to confer on this highly favored and very happy country. The principles on which our ancestors colonized here, by precluding hereditary distinctions, placed man on the elevated ground he was destined to hold by his Creator; and nothing occurred from that period to the great epoch of our independence, which tended to disqualify him for or make him unworthy to hold it. The vices of the old world had not reached us. The contaminating influence of the executive power was not felt. Our growth in the interval was rapid beyond example, in

every stage of which the simplicity and purity of our early manners and institutions were equally conspicuous; a simplicity and purity which adorned our youth, and invigorated our manhood. When the moment arrived which was to degrade and humiliate the American people to a condition with the slaves of the East, or present to the world the extraordinary spectacle of an independent power in this hemisphere, with the example of a government founded in a great measure on new principles, they proved themselves equal to the crisis. They declared themselves an independent people, and by an heroick exertion made themselves so. Thus our governments were soon formed out of pre-existing materials, in which we were equally aided by the melancholy example of past times and the instructive light of modern sages. A profound system of revision and legislation followed, by means whereof whatever of the unequal feudal usages of Europe had crept into our Code was expunged, so that our political revolution was scarcely completed when our more important institutions in government and laws, which were adapted to it, were completed also, being alike founded on and protecting the equal rights of man.

I have adverted to the struggle for our independence and the happy consequences resulting from it, not for the sake of exultation, for that would be unworthy the character of a generous people. As far as our lot may justly be considered the happiest among nations, so far it becomes us to sympathize in the misfortunes of our fellow men in other countries.

Nor have I adverted to it for the sole purpose of paying a just tribute of respect to the courage, virtues, and talents of my country-men which were so eminently displayed on those occasions, many of whom have paid the debt of nature and gone to repose. My chief object has been to bring into view what was already done to promote the happiness of our country, that we might more distinctly perceive what was yet to be done which might in any degree contribute to that important end. The Legislature has already bestowed its attention and passed laws on some subjects which it is presumed have not produced in all respects the good effect that was intended by them. I think it my duty to bring these subjects to your view, that in case the General Assembly should be of opinion that the provisions made were defective, its wisdom might supply the remedy which the publick good required. The subjects to which I refer are the education of our youth, the discipline of our militia, and the regulation of our roads and bridges; subjects which are highly interesting to the community, and intimately connected with those which precede.

In a government founded on the sovereignty of the people the education of youth is an object of the first importance. In such a government knowledge should be diffused throughout the whole society, and for that purpose the means of acquiring it made not only practicable but easy to every citizen. To preserve the sovereignty in the hands of the people it is not necessary, however desirable, that every person should be qualified to fill every office in the State. It is

sufficient that the mass of the people possess a correct knowledge of the principles of the government, of their duties and those of their representatives, and that they be attentive to the performance of them. While the people are faithful to themselves their servants will be faithful to them also. It is only when the people become ignorant and corrupt that their representatives forget their duty and aspire to the sovereignty. In such a government education should not be left to the care of individuals only. Being a high publick concern, it ought to be provided for by the government itself. It has at all times been deemed the duty of established governments to attend to the means of their preservation, and their practice to adopt such provisions as were thought best adapted to the purpose. In governments whose sovereignty is vested in an individual or a few, in which experience has shewn that the germ of perpetual discord and dissension exists, resort is usually had for their protection, to standing armies, fleets, and other expensive establishments. It has been the policy of those in power in such governments, to fortify themselves against the people, who are the object of their terror, with the same care as against a foreign enemy. Ought not then the people to be equally attentive to the preservation of the sovereignty in their hands? Or is the charge of education more burdensome than that of fleets and armies, or the effect produced by it, in the improvement of the condition of mankind less grateful to a benevolent mind? It is believed that no measure which can be adopted would contribute more to the

security of free government, or to the harmony of its movements, than a well planned system of instruction. A people well informed on the subject of their rights, their interests, and their duties would never fall into the excesses which proved the ruin of the ancient republicks. They would not, like the mob of Athens, dishonor themselves, or their cause, by insurrections, or other acts of violence, which put to hazard or called in question the practicability of their system. If their representatives pursued a policy which they disapproved they would never lose sight of their interest or dignity to gratify unruly passions. Awake to their duty they would evince their attachment to government by an obedience to the law while it existed ; but would rally at their posts on the day of election to rid themselves of obnoxious measures by dismissing from their service undeserving men.

In other views much may be urged in favor of the measure which is proposed. It is presumed that the advantage of such a regulation would be felt by almost every citizen in the Commonwealth ; that those to whom fortune has been more indulgent of her favor would not profit less by it than the poor. At present a considerable sum is expended annually by the citizens of every county in the education of youth. The poorest citizen contributes something to the instruction of his offspring. There is scarce an inhabitant of our country so lost to the claims of nature and to every just and generous sentiment as to abandon his children to brutal ignorance. The wealthy contribute large sums to that object, since they are compelled generally to

entertain tutors at home or send their children to be educated at a distance, in either case at great expense. It cannot be doubted if the sum which is now expended in every county in the education of youth, was collected into one fund and committed to the care of discreet agents, they would be able to procure excellent instructors, and establish seminaries in every neighbourhood. It is possible the expense might be less than it now is. It is certain that by the establishment of such a number of seminaries in the several counties, under the care of skilful preceptors, knowledge would be more generally diffused, and the morality of the children, who would be instructed in the presence of their parents, better preserved. It is equally certain that such a system of instruction would give support to the principle of the government itself. It would draw the youth of the country into society together by means whereof they would become acquainted and form friendships which would remain through life; friendships which would equally promote the social harmony of the State, and the comfort and happiness of the individuals who compose it. The Legislature has already given its sanction to this doctrine in favor of education by a law which passed in 1796, intituled, "An Act for the establishment of publick schools"; but unhappily that law has remained a dormant institution in our Code. By a clause in it, its operation was suspended in the several counties until it should be put in motion by their respective Courts; and it is understood that not a single county has carried it into effect. If the institution

is of such importance as we are taught by reason and experience to consider it, and as the Legislature seems to have considered it, ought its operation to depend on any contingency? The militia law is likewise a subject which it is thought merits the attention of the Legislature. It is one of great importance as the militia of a free state is justly considered the bulwark of its liberty. No people are secure in the enjoyment of their rights who keep within their limits a strong military force, trained to subordination and accustomed to obey with reverence the orders of its chief. History furnishes many awful lessons on this head of which we ought to take warning. Our situation might possibly exempt us from the mournful catastrophe of other nations; for being separated by the ocean from the great powers of the earth, nature seems to have inhibited by an eternal mandate all colourable pretext for a formidable standing army; and should the publick functionaries at any time raise one in contempt of their duty and her authority it is not presumable that our officers, educated like ourselves in democratic principles, would abandon those principles to turn their arms against their country. But these considerations should not lull us into security. Free men should never rely on others for the protection of an interest for which they are personally responsible, and from which they have no right to shrink. Incidents might occur from foreign or domestic causes which would surprise them and put everything to hazard. They should be able at all times to take such an attitude in arms as would forbid

the idea of invasion or usurpation. The discipline of the militia may be considered at present as very imperfect, the regiments in general as being defective in the knowledge of military evolutions and other duties which they ought to possess. It is understood that the musters of the regiment, battalions and companies, which are prescribed by law, are often thinly attended by the men who compose the several corps, and that those who do attend derive but little advantage from it. A derangement so general ought to be remedied if it admits of a remedy. We are led to enquire, to what cause is it to be attributed? Are the defects complained of incidental to the system; or do they proceed from the improper execution of it? So far as my experience authorizes an opinion, I am inclined to attribute them to the first of these causes, and to believe it will be difficult if not impossible to carry the discipline of the militia to that degree of improvement which is desired, without some change in the system itself. The failure of the men or officers to attend musters admits a prompt and easy remedy by the imposition of fines which would make it their interest as well as their duty to attend; fines which would produce their effect equally with the rich and with the poor. But how improve them in the knowledge of discipline in the various points in which they are defective? Can no plan be devised which would accomplish the object without increasing the frequency and duration of the musters by regiment, battalion or company? A plan which would infuse a military spirit in the whole body and supersede the

necessity of fines, or at least make a resort to them rare and unusual? If the officers were informed on all the points of their duty, is it not presumable that they might instruct their men within the terms that are now prescribed for the purpose? Our own experience has sufficiently shewn how great and sudden the improvement of the men was when they were instructed by those who were masters of the art. It is well known that the service of the late Baron Steuben in the American army formed an important epoch in the history of its discipline. And might not the officers acquire the requisite information by some little improvement of the plan which is already devised for their instruction? By being called together in larger bodies, by brigades for example, to be trained in the presence of their Generals and of the Chief Magistrate, when his other publick duties permitted his attendance, yielding them such light accommodations as the change might require. The subject is highly important to the best interests of society. Witnessing some defects in the system, I thought it my duty to bring them to your view and submit them to consideration. To the representatives of the people all the dangers to which our Country may be subject, are well known, and it belongs to their wisdom to anticipate and to provide for them. . . .

The other subject to which I consider it my duty to invite the attention of the General Assembly, is the situation of our publick roads and bridges, a subject distinct in principle from those already mentioned, but like them of great importance to the publick.

The disorder which prevails in this branch of our police must be obvious to every one, as must be the injury it occasions to the whole community. Our publick high-ways are at no time good, they are often bad, and in the winter when the produce of the labour of the year is carried to market, almost impassable; in addition to which it may be observed, that the routes are not always the most direct, or through a country the most favorable. A great proportion of our produce is bulky, and brought to market by land from remote parts; hence it follows that such an obstacle to the transportation must be highly detrimental to the agriculture, industry, and commerce of the country. If we enquire into the cause of this disorder, we trace it to the system established for the government of this concern, not to a delinquency in the agents appointed to execute it. At the first settlement of the country, the care of opening and repairing the publick roads was committed to the county courts, and it has since remained in their hands. It is to that cause that this disorder is to be attributed, a disorder which it is presumed never can be remedied while the cause exists. It might be proper, it was perhaps indispensable, at an early period, when new counties were to be established westward of the existing settlements, to vest such a power in those who embarked in the enterprise. But there is no longer any question about promoting western settlements. The population of the State extends over its whole territory; the society has become more compact in every part; its interests are better understood,

and it merits consideration whether a system which was adopted in the infancy, is suited to the present situation of the country. There are many objections to the existing system, considered as a permanent one, which shew that an adherence to it, is equally incompatible with the dictates of sound policy and the principles of justice. It is impossible that the great publick highways of the country, especially those which lead from the several navigable rivers to the Western boundary, and from north to south through the State, should be regulated with advantage by local authorities, or any authority which was not coextensive over the whole. The county courts cannot have sufficient information or the necessary concert, to enable them to adopt and execute a plan for the regulation of an interest so general, which extends so far beyond their respective limits. Nor can that disregard of local considerations be expected from them in all cases which the nature and importance of the subject might require. It is also unjust that the burthen of improvements, by which every citizen is to be benefited, should fall on the inhabitants of a particular county. The publick highways of a State have a strong claim to the attention of its government. Under a judicious regulation they form one of its chief and most useful ornaments. Most well policied States have bestowed much care and labour on them, and with effect. Several of our sister States have gone before us in this respect, and exhibited examples worthy of imitation. Their motive to such exertions was not stronger than ours is,

while the obstacles which they encountered, were comparatively much greater. It is not proper that a disorder so complete, in so important a branch of our police should exist forever. The mind naturally looks forward to a state of improvement correspondent with what has been exhibited in the other publick works of the State which are nearly completed. Such improvements when made with judgment on suitable objects, engage the attention, gratify the feelings, and attach us to our country. They are proofs of the flourishing condition of a State, to which they still further contribute. Whether any are necessary in the present instance, are practicable, by what mode and in what degree, are points on which the Legislature will decide.

The subjects which I have thus had the honor to submit to your consideration are of great importance to the Commonwealth. They rest on different principles but unite in a common policy, the support of our republican government, the improvement of our Country and the happiness of our citizens. To the wisdom of the Legislature they are submitted with that respectful regard which is due to the immediate representatives of the people.

Another and more interesting subject claims your attention. Since your last session an important change has taken place in the situation of publick affairs, on which I offer you my most sincere congratulations: a change which I consider highly favorable to the personal liberty of our citizens, to the stability of our Union, to the sovereignty and the happiness of the

people. Had the contest which achieved our independence, ended in the aggrandizement of individuals, vain and unprofitable would it have been. Had that been the result, our race of glory, our career of happiness would have been soon run. But that was not the object of the controversy, nor will it be its fruit. The people of America, among whom there was no superior, contended in a common struggle for their equal rights. In that great cause, they sustained with unexampled fortitude, through a long and arduous conflict, every calamity to which savage war is subject, in its worst form. They looked forward to peace, and the happy order of things which would grow out of it, for the reward of their toils, their sufferings, and their dangers, and they will not be disappointed. I have no hesitation to declare, that I consider the late election to the Executive of the United States, as having essentially contributed to secure to us the enjoyment of the blessings for which we contended in our revolution. The manner too by which the publick will was declared on that great occasion, was not less honorable to the government of the people, than the act itself was important to their cause. No strife, no unbecoming violence, no popular tumult, were heard of. Tranquillity, order, and a dignified but unimposing solicitude prevailed in every quarter. A great and useful example have we thus exhibited to an interested and beholding world. An example which proves, how competent the people are to self government! How wise and faithful in the exercise of the most important acts of

sovereignty! From this declaration of the publick sentiment, and the administration which was formed by it, I calculate on everything that ought to be expected from the conduct of wise and virtuous men; peace and respect from foreign powers; a republican tone in the government and its measures; economy in the disbursement of publick moneys; the restoration of social harmony, and a thousand other blessings which belong to our situation, and which we ought to enjoy. But it merits consideration whether those blessings should depend on the political character, views, or principles of those who may be occasionally called to office? Whether some provisions ought not to be engrafted in the federal constitution, which without diminishing its force, would make the operation of the government less dangerous, the publick functionaries more responsible, and the liberties of the people more secure? An amendment of the Constitution in these respects, appears to be an object of the first importance, and I doubt not, will receive from the General Assembly the consideration to which it is so justly entitled. It is our peculiar good fortune to have among us some very enlightened citizens, of whose great experience, virtue, and talents we might profit, on a subject so highly interesting. These citizens are advanced to a stage of life, which, while it leaves their faculties in full vigor, and exempts them from the influence of those passions which unhappily too often mingle their effect in publick concerns, forbids the hope of our enjoying this blessing any great length of time. On the sub-

ject of amendments, I have the pleasure to transmit you a proposition from the State of Maryland, which merits particular attention. The good people of these States (and of this State as a portion of that great society) have many advantages for free government, which no other nation ever enjoyed. Called to act in an enlightened age, having never recognized hereditary orders, all the citizens born with equal rights and expectations, their title to the sovereignty is supported by every consideration that can give stability or permanence to the possession of it. It is equally sanctioned by nature, by early habits, and political institutions. With such advantages we have it in our power, and it is our duty, to transmit this blessing to our latest posterity. Should that be the case America will remain an instructive, an illustrious example to nations. But under circumstances so favorable, let it be recollected, if that system should fail, that liberty so long the idol of mankind, will be lost forever. As a nation, America might survive the wreck, but her people would be most wretched, and her name instead of being the glory and the ornament of history, would deservedly become the reproach and scorn of the world. I have the honor to be, with great respect Sirs &c.

TO THOMAS JEFFERSON.

RICHMOND, Decr 8, 1801.

DEAR SIR,—I sho^{d} have answer'd yours of the 24 ult^{o} as soon as I rec^{d} it, had I not perceived it was

your wish that your communication on the subject of it, sho^d^ form no part of my publick letter to the legislature. Being at the time engaged in writing that letter I delayed an answer till it was finished. It is not possible to entertain a doubt of the propriety of any part of y^r^ letter, the last parag^h^ excepted: nor am I satisfied that there is the slightest objection to that or any part of it. Still I suggest a doubt as to a possible effect it may have. You hint the propriety of leaving the power of designating the place to the chief magistrate in concert with the President of the U. S. May not this excite jealousy and suspicion with some holding slaves? The idea perhaps did not occur and perhaps is undeserving attention. You will think of it, and if you think it has any weight modify it otherwise. Inclining to think it does not I retain the letter, presuming if you think it does you have the means in a copy of correcting it. The term "him" might be changed into "it" without altering the import, & wo^d^ be grateful to the council, in which you have friends.[1] I will not send the communication in till I hear from you, provided it be, in time to avoid censure, which I presume will give you full time to answer me. I write in great haste there being several gentlemen with me. Sincerely y^r^ friend & servt.

[1] Jefferson adopted in effect Monroe's suggestion as indicated by the following note on Monroe's letter, and the alteration of the original wording in the press-copy of letter sent :— "Last page, line 9, 10, & [Strike out] 'him and executed with the aid of the Federal executive? these' and insert "them," they.'"

TO ROBERT R. LIVINGSTON.[1]

RICHMOND December 15th 1801

SIR,—You will forgive my troubling you with an object which I do in confidence—you will execute it with pleasure. The late General William Campbell of this State, a very gallant officer of the militia, rendered important service to his country in a severe rencountre with a detachment of the British under the command of Colonel Furguson, on a mountain called King's Mountain in North Carolina, in the year 1780. In that action, in which General Campbell displayed great gallantry, Colonel Furguson was killed, his party defeated, and by means of it the first check given to the British to the south, after a series of unfortunate events. In consideration of his service on the occasion, and as a testimony of the publick acknowledgment of his merit, the General Assembly voted him a horse completely caparisoned and a sword, which the Executive was desired to present him with. It remains to provide the sword, which I have to request you will be so kind as undertake for the Commonwealth. There is another case of the same kind which I must also commit to your care. In 1781, when the enemy were making some rapid movements in this State, our principal force being to the south, Major John Jouett, a citizen of the State, communicated some seasonable and useful intelligence to the government which the Legislature thought deserving its acknowledgment. In consequence it passed a resolution by which he was voted a pair of pistols, and

[1] From Letter-book, State Library, Richmond.

sword, the latter of which is still to be procured, and which you will be so good as procure for us. I have committed to the care of Mr. Madison $300 for this object, (which it is supposed will be sufficient to procure both the swords) who will arrange the payment so as to suit your convenience. I have stated the service of each that you may know how to apportion the money allotted for the purpose, and how to designate the object for which the acknowledgment is made, which points are submitted entirely to your judgment. I hope you have arrived safe, that yourself and family are in health and well accommodated.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND December 21st 1801.

SIRS,—I have the pleasure to communicate to the General Assembly a copy of my correspondence with the President of the United States in compliance with the resolution of the 31st of December last, relative to the purchase of lands without the limits of the State to which persons obnoxious to its laws or dangerous to the peace of society may be removed. As it was known that the United States had lands for sale, in the territory lying between the Ohio and the Mississippi, a proposition to make the acquisition by purchase, conveyed the idea of a preference for a tract in that quarter. But as such preference was not declared, and a liberal construction of the resolution, admitted a greater scope, I thought it my duty to

[1] From the Letter-book, State Library, Richmond.

open the subject in that light to the President. His reply has stated fully and ably the objections which occur to such an establishment within the limits of the United States. He also presents to view all the other places on this continent, and elsewhere, which furnish alternatives, with the advantages and disadvantages attending each, and assures us of the promptitude and zeal, with which he will co-operate in carrying into effect, whatever plan the Legislature may adopt in reference to the object contemplated. It remains therefore for the General Assembly to explain more fully, the description of persons who are to be thus transported, and the place to which it is disposed to give the preference. As soon as its sense is declared on those points, I shall hasten to communicate the same to the President and shall not fail to lay the result before you at your next session. It is proper to add that it is the wish of the President that the communication be considered as confidential. I am Sirs, with great respect & esteem, Your very h.ble servt

TO THOMAS JEFFERSON.

RICHMOND, December 21, 1801.

DEAR SIR,—Our communication will be laid before the Assembly tomorrow with its doors closed. The objection which I suggested applied to a delegation of any confidence or trust over the subject from the legislature to our Executive, not to the agency of the federal executive in the affair. In the latter view I saw no objection to the clause, for what was proposed in

that respect was precisely what the legislature sought. The modification so as to comprise the council was material. In other respects it stands as well as it possibly can.

Your last communication to the Congress has plac'd y^r^ adm^n^ on such ground with the republican party, as to leave it in your power to act with respect to removals from office, as you may judge expedient; by which I mean that if you are disposed in any case where the merit of the party interests you, to indulge feelings of benevolence towards him or them, y^r^ so doing will excite no uneasiness among the republicans. It may also be said that it has produced such an effect among the people generally, as to put it in y^r^ power, especially if the taxes named be repealed without the danger of future recurrence to them, to remove whomsoever you may think of the dependants of the late Administration are entitled to that mark of attention. The impression is a strong one and likely to be durable, if ground be not lost in any other quarter. It will always be recollected that from the Chiefs, who sinned knowingly, we have nothing to hope, and that if it were justifiable to pass to those who were really criminal, it is impossible to reconcile them to the existing state of things.

You ask me to mention some person for the Post office in this city, & seem to look to the Council from which to make the selection. There are, you know, five members in it republican, any of whom are competent to the trust. Perhaps any of them w^d^ accept it but I do not know that either w^d^. I think them

all honest men and very deserving of confidence. Dr Foushee or Genl Guerrand wd perhaps be best recd by the publick as successors to the present officer. They are the oldest men and I am persuaded the appointment of either wod. be more acceptable to the other members than of either of the others. I do not think the first named wod accept it; it is probable the latter who is in more contracted circumstances wod; tho' I have spoken to no one on the subject. Out of that body in Richmond, I think Mr Hylton & Major Dunscomb wod be most deserving of attention, the latter of whom voted for the alphabetical envoy, but abandoned him as soon as he found he was deceived. Of the latter correct information may be had of several of our reps in Congress; it is certain he injured himself by the error referr'd to. Any further information in my power to give you I will with pleasure.

P. S. The present incumbent is very attentive & accommodating, and is I think an inoffensive being.[1]

TO THE ATTORNEY-GENERAL OF VIRGINIA.[2]

RICHMOND January 1st 1802

SIR,—There is a controversy depending in the High Court of Chancery, the Commonwealth at the suit of

[1] On February 12th, Monroe added the name of Colonel Goodall, "an honest republican," to the list of candidates for the Richmond Post-office: writing "In a late letter to Mr. Madison I gave some of the details of some federal intrigues here during the session of our assembly. He will I doubt not communicate these to you. Every days experience proves more clearly the difficulty of conciliating the federal party. It is wonderful to see how irreconciliable many of its members are. Altho. none of these people had cause of complaint agnst. me yet it was manifest that many of them wod have hewn me to pieces had they had it in their power."

[2] From Letter-book, State Library, Richmond.

a representative of one Bristoe for lands lying near Dumfries, and also in the county of Gloucester. Bristoe, it is understood, was a British subject, resident in Great Britain before the commencement of the revolution, and never an inhabitant or citizen of this country before or since that event. An inquisition on said lands was found in favor of the Commonwealth, on which a bill was filed by the representative of Bristoe. It is said that the said representative was paid their value by the British government on the pretext that they were confiscated. Colonel Minor was associated in the cause in aid of the Attorney General, and a commission some time since given to him to take depositions in England, to establish the material facts in it, more especially the payment for the land as above stated. I mention these circumstances that you may be better enabled to manage the cause for the advantage of the Commonwealth. A question of the same kind grows out of another case at Norfolk referred to in the inclosed letter from Mr. Lee, to which I have to request your particular attention. These cases involve principles which are very important to the interest of the Commonwealth. It is believed that there is scarcely a town or county in which like cases do not exist. It merits consideration whether by the mere operation of the revolution, without any act of confiscation, a British subject, who remained there through the whole contest, whereby he became an alien, did not lose his title to his land? Whether that title was secured by the treaty of peace, which prohibited further

confiscations, or the treaty since made? I will thank you to examine this subject and communicate your opinion relative to the same. With great respect &c.

P. S. You will of course communicate with Colonel Minor, who the Executive are desirous should be retained as Counsel in the cause.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND January 5th 1802.

SIRS,—The General Assembly has long since been apprized of the claim of Mr. De Beaumarchais, a citizen of France, against the Commonwealth, for supplies furnished the State in the commencement of our revolution. His agent being dissatisfied with the decision of the Legislature, on that claim, exhibited a statement of it before our High Court of Chancery, to which he applied by suit, under our law which authorized it, for the redress to which he thought himself entitled. That court on full consideration of the subject entered a decree in his favor in the September term of 1796, for the sum of one hundred and twenty five thousand, five hundred and ninety five pounds, two shillings and one penny farthing with interest upon one hundred and fifteen thousand, eight hundred and ten pounds, nine shillings, and three pence three farthings, at the rate of five per centum per Annum, from the first day of January, 1787, from which decree an appeal was taken to the High Court of Appeals by the Commonwealth. The Executive, being fully sensible of the

[1] From Letter-book, State Library, Richmond.

great importance of the cause, by reason of the magnitude of the sum, and the credit of the State which was interested in having it brought to a just and fair conclusion, considered it its duty to pay particular attention to it. They had full confidence in the diligence and ability of the Attorney General, but the cause involved interests too extensive and important to be confided to the care of any individual. On that principle it was deemed expedient to associate with him, Mr. Randolph and Mr. Hay, two characters of equal professional merit, who were promised a compensation which should fully recompence them for the great attention and labour which it was expected they would bestow on it. The cause was argued and decided, at the last term of the Court of Appeals, as far as a decision could be formed by the four judges who sat in the trial; the Court having unanimously agreed in the reversal of the decree of the High Court of Chancery, but being divided as to the decree which ought to be made instead thereof, no judgment was entered in the cause. Two judges were of opinion that the contract was like all other contracts of that time in the current medium of the State subject to adjustment by the scale of depreciation which applied to ordinary cases; while the two other judges were of opinion that the parties to the contract had formed it on a scale which was understood between them, and which although not specified in the contract, ought to be the rule of adjustment at the present day. By the scale contemplated by the two first mentioned judges, that is, by five for one,

the bill would be dismissed, except as to an inconsiderable balance due on the Solicitor's statement. By that of the other two, that is by four for one, a balance would be due to the representative of Mr. De Beaumarchais of about forty three thousand Dollars. Thus no final decree is entered in the cause, nor is it likely that one soon will be, as the fifth judge declined sitting in it, from motives of delicacy, being connected with the agent of Mr. De Beaumarchais. On this occasion the Attorney General manifested a degree of attention and ability which entitle him to this acknowledgment from the Executive. His associates having also discovered like attention and ability in the management of the cause, their conduct was thought deserving of the reward which had been promised them, which was accordingly paid.

I transmit you a statement of the cause comprizing a copy of the decrees of the two Courts, and all the essential documents on which they were founded, which statement was furnished by the Counsel who managed the cause for the Commonwealth.

I make the communication to the General Assembly that it may know the importance of the controversy, the course which has been pursued respecting it, and the stage in which it now is. I have the honor to be, with great respect & esteem &c.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.[1]

RICHMOND, January 16. 1802.

SIRS,—An alarm of a threatened insurrection among the slaves took place lately in Nottoway county,

[1] From Letter-book, State Library, Richmond.

which soon reached Petersburg, whence it was immediately communicated to the Executive, by the Mayor of that borough. I considered it as furnishing a sufficient motive for increased vigilance, and in consequence gave orders for strong and active patrols in both cities. Several slaves in that county have since been apprehended and tried, two of whom are convicted of the crime of conspiring an insurrection against the Commonwealth, for which they are sentenced to suffer death. Their case was duly considered by the Executive, but as the charge appeared to be clearly proved against them; as they were not recommended to mercy by the Court; and no mitigating circumstances occurred in their favor, it was thought proper to let the law have its course. Today they will expiate their offence by suffering the punishment adjudged by the Court. The incident is deemed of sufficient importance to be communicated to the General Assembly, since it seems proper that every extraordinary occurrence relative to these people, especially of this kind, should be made known to the representatives of the people.

It is our duty on this occasion to remark that the publick danger proceeding from this description of persons is daily increasing. A variety of causes contribute to produce this effect, among which may be enumerated the contrast in the condition of the free negroes and slaves, the growing sentiment of liberty existing in the minds of the latter, and the inadequacy of the existing patrol laws. With great respect I have the honor to be &c.

TO THE SPEAKER OF THE HOUSE OF DELEGATES.[1]

RICHMOND January 26th 1802.

Sir,—I have received a copy of the report of the joint committee of both houses who were appointed to examine into the expenditures of publick money made by order of the Executive in the course of the last year. It is understood that this report was furnished to the Executive to enable it to give such explanations of the nature and object of those expenditures, as might be deemed proper on a view of the report. I beg you to assure the General Assembly that I shall be happy at all times to communicate to it, whatever information I possess, on any subject, especially on one so highly interesting to our Constituents.

Enquries into the disbursement of publick moneys are at all times proper. They are equally important to the welfare of the citizen, and of the publick functionary. It is the duty of the Representative to see that the taxes which are raised on his Constituents are properly applied. It is the duty of the Executive to render an account of the disbursements made by its order even to the minutest sum. On the other hand the Executive has a just claim that its acts be viewed with candour; that the motive to every disbursement be well understood: that in cases of discretion where it was obvious that the money was applied to publick purposes, with an honest view to the publick interest, some scope be allowed for difference of opinion among different men, in the exercise

[1] From Letter-book, State Library, Richmond.

of that discretion. With this view of the relative duties and rights of the two departments of the Government to the publick, and to each other, I was happy that this enquiry was commenced, and anxious that it should be pursued with the utmost strictness. It was even cause of grateful reflection to me, that if an inadequate mode had been heretofore practiced, it might be altered and improved while I had the honor to serve in this department.

Anxious however as I am to furnish the information and explanation which is desired in the present case, I am sorry to add, that I find it impossible to do it under existing circumstances. The report only states the total amount of expenditures: it contains nothing special on which the Executive may furnish a satisfactory explanation relative to the object of enquiry. It does not state, for example how much was expended under special appropriations; how much in the contingencies of the Government; or in what case the discretion of the Executive was improperly exercised, in the disbursement of any part of the contingent fund, if that idea is meant to be conveyed. To enable the Executive to explain the motive of any expenditure, or the authority on which it was made; to enable the Legislature to decide whether the motive was a sound one, and justified by law, the item objected to, with the objection made, should be stated. When a decision is formed on a full view of all the facts and circumstances belonging to the case, it may serve not only as a suitable comment on what is passed, but as a guide in all future occasions. But where the

facts are retained only in the memory of the Committee or the House, it is possible that the decision might lead to influences wholly unauthorized, and to which the Committee did not intend to give its sanction.

I have therefore to request, that the Legislature will be pleased to cause such a statement to be communicated to this department as will enable it to give the explanation which is desired. Conscious that not one cent of the publick money has been improperly applied by order of the Executive, I shall hasten to give that explanation as soon as the statement is received.

With respect to the salaries of the clerks in the several departments of the Government, and of the officers employed in the Manufactory of Arms, and penitentiary, and of the Keeper of the Capitol, it is perfectly proper that they be regulated by law. I shall have the honour to state to you in another communication the cases in which the Executive acted on that subject, on what motive, and by what authority. I have the honor to be with great respect &c.

TO THE SPEAKER OF THE HOUSE OF DELEGATES.[1]

RICHMOND January 28th 1802.

SIR,— . . . There are two other items in the publick expenditures on which it may be proper to make a single remark; the first of these is the cost of the powder which was used on the anniversary of our independence which amounted to thirty three dollars,

[1] From Letter-book, State Library, Richmond.

seventy five cents, the second, the expense attending the publick joy which was manifested on the occasion of the late change in the Executive department of the United States, amounting to twenty five dollars and forty eight cents, making together the sum of fifty nine dollars and twenty three cents.

It is believed that it is the practice of all governments to dedicate certain days to publick festivity. They give relaxation from labor, promote friendly intercourse among the people, and harmonize the society. In the European monarchies it is the practice of the people to celebrate the birthday of their King. Thus they degrade themselves by an unbecoming personal idolatry. With us it is the practice to celebrate the birthday of principle.

It is believed that this government has often heretofore taken the lead in that mode in the publick rejoicing as well by sanction of the Legislature as of the Executive. The charge attending it has been considered as a contingent expense of the government, and as such allowed. The Executive was not unmindful of its duty on the great crisis, whose happy result produced the illumination of the Capitol; nor was it, as it presumes, inattentive to the important object of economy in the arrangements which it adopted at that interesting epoch. In uniting with the general sentiment, and giving its sanction to the publick joy on that occasion, they looked not to the individuals who had received from their country a well earned promotion. They rejoiced in the recurrence to principles which they considered as fully

manifested by that event; principles which they revere.

It is however much to be wished that in all cases the appropriations be made with the utmost strictness. Where a particular service is enjoined, and the means of executing it are not explicitly given, the Executive is reduced to the painful dilemma of taking on itself unsought responsibility, or of arresting the measure until the next meeting of the Legislature. While I have the honour to serve in this department, I should never hesitate to execute a law of my country, which sought an obvious publick good, while the means of executing it were attainable, although I took the responsibility, and exposed myself to the hazard of censure. Under our government and with our people, the dread of undeserved reproach has not become a motive of action, and I trust never will. Still it is earnestly to be wished that in all cases the object to be obtained, or service to be performed, be accurately defined, and that the sum destined to the end, be specially appropriated. I have the honour to be with great respect & esteem &c.

TO THE SECRETARY OF WAR.[1]

RICHMOND February 4th 1802.

SIR,—A Shawanee Chief, who is called General Read, will have the pleasure to present you this. He arrived here lately from the Western Country, introduced by a letter from Mr. Clarke, who represented

[1] General Henry Dearborn—From Letter-book, State Library, Richmond.

him to be a person of note in that tribe; and that he came solely for the purpose of making a friendly visit to those whom he had so often met in the field. Some doubt was suggested, by an officer lately in the Western army, of the distinction claimed by the Indian in his tribe, but there were others here, particularly General Joseph Martin, who has been long conversant in Indian affairs, who recollected to have seen him many years since, in the Cherokee nation in the character of a chief. He has been treated here with attention, and is now sent on to you at the expense of the Commonwealth, that he may be placed under the care of the General Government. It was thought unsafe to let him pass without a Guard through our Western frontier. It was presumed that favorable occasions frequently presented themselves to you of conveying him with safety home, which I doubt not you would readily undertake. I am happy to avail myself of this opportunity to assure you that the acquaintance I had the pleasure to form with you in Congress, is not forgotten and that I am with great respect & esteem &c.

TO MR. PICHON.[1]

[CHARGÉ DES AFFAIRES OF THE FRENCH REPUBLIC.]

RICHMOND February 4th 1802.

DEAR SIR,—The pressure of very interesting business has prevented my replying to your late favors sooner. The Cause of Beaumarchais was lately decided in our Court of Appeals so far as it could be

[1] From Letter-book, State Library, Richmond.

decided by four Judges who were equally divided on one of the points growing out of it. The Judges were unanimous in reversing the decision of the Court of Chancery which was in favor of Beaumarchais, but differed in entering their own decree. Two were of opinion the contract like all other contracts of the time should be scaled by the ordinary scale of depreciation which was five for one whereby the bill would be dismissed, the other two were for fixing a scale between the parties as applicable to the particular transaction, of four for one, which would leave a balance of about 43000 Dollars due to the Representative of Mr. De Beaumarchais. But as there was not a majority for either opinion a final decree was not entered and the cause therefore stands suspended except as to the reversal of the Court of Chancery. I will forward a copy of the proceedings of the Court to the Secretary of State of whom you may obtain the perusal if you desire it. With great respect &c.

TO THOMAS JEFFERSON.[1]

RICHMOND February 13th 1802.

SIR,—I enclose you some resolutions of the General Assembly of this Commonwealth, passed at its last session explanatory of a resolution of the preceding session authorizing a correspondence with you relative to the purchase of lands without the limits of the State, to which persons obnoxious to the laws or dangerous to the peace of society might be removed.

[1] From Letter-book, State Library, Richmond.

You will recollect that as the precise import of the first resolution was not clearly understood, it was thought proper to submit our communication on it to the General Assembly, that its object and policy might be more accurately defined. The resolutions which I have now the pleasure to communicate to you have removed all doubt on that subject, by confining the attention in procuring the asylum sought to the accommodation of negroes only, and by specifying for what causes, under what circumstances, and (in the case of felons) to what countries it is wished to send them. You will be pleased to observe that there are two descriptions of negroes embraced by these resolutions, the first comprizes those who being slaves may commit certain enumerated crimes. For *such* an asylum is preferred on the continent of Africa or the Spanish or Portuguese settlements in South America. The second respects free negroes and mulattoes, including those who may hereafter be emancipated and sent, or choose to remove to such place as may be acquired. For *these* a preference is not expressed in favor of any particular region or country, nor is the right of sovereignty over such place desired. In removing these people without our limits, no restraint is imposed to preclude the attainment of an asylum anywhere, whereby the object of the State might be defeated, or to prevent that attention to their interests in case an alternative of places is presented, by inhibiting a preference for *that* which may be deemed best adapted to their constitution, genius, and character.

I have therefore to request that you will be so good as to endeavor to promote the views of the State in these important respects; being satisfied that they are founded in a policy equally wise and humane, with respect to ourselves, and the people who are the object of it.

TO THOMAS JEFFERSON.

RICHMOND March 14. 1802.

DEAR SIR,—I found your favor of the 28th ult. communicating an extract of a letter from Dupont de Nemours relative to the claim of the artist Houdon to be paid the sum which he lost by the depreciation of the assignats in the last instalment which he rec.d for the statue of Gen.l Washington. I postponed an answer untill I had taken the advice of council by which I am authorised to inform you that whatever sum you state to be due shall be paid on y.r certificate of the same. I send you a letter of yours to Gov.r Brooke, one of Houdon to the Gov.r of Virg.a and a copy of one from the banker Grand to Houdon certified by the latter, which shew that the contract was in specie, that the assignats were accepted by him with the approbation of M.r Morris on the principle and in the expectation that they sho.d be sealed. I hope and presume that M.r Morris will be able to establish the facts not known to you, necessary to adjust the account, to your satisfaction, so that we may be enabled to pay the artist what is justly his due. We do not think ourselves authorised to purchase the bust of Franklin, without the sanction of the

legislature. We are persuaded its sanction might be had at the next session, tho' [we ?] are not authorised to commence a treaty or make any stipulation relative to it.

The repeal of the judiciary law of the last session forms an interesting epoch in our affr^s^. We shall soon see whether the party which created it are disposed and able to convulse the country on pretext of the repeal. I sho^d^ not be surprised to [see] the court of app^ls^ advancing with a bold stride to effect the object. But I trust its efforts will be fruitless. Sincerely I am yr. friend & servant.

TO THE REVEREND MR. DUBOIS.[1]

RICHMOND April 3^d^ 1802.

SIR,—It gives me much pleasure to acknowledge your favor of the 12th ultimo, on a subject which is highly interesting to humanity. The representation it contains of the injustice and oppression which have been practiced against Jack Neal, the unfortunate man who was the subject of it, produced the effect which you had a just right to expect from it. A reprieve was immediately granted and transmitted to the county in his favor for four months, which it is supposed will allow sufficient time to collect the testimony necessary to establish the facts which you have stated. I doubt not that General Carberry and yourself, who have taken so benevolent and humane a part

[1] From Letter-book, State Library, Richmond.

in his behalf, will still exert yourselves to promote an object in which you have already shewn so commendable and honorable a zeal. The testimony which is procured ought to be laid before the court of Kanawha County, and likewise communicated to me. The court still has it much in its power to promote the safety of this unfortunate person. If it has not the right to reverse the former decision, it has certainly that of recommending him to pardon, which will have much weight in the executive deliberation on the subject. I have written to General Carberry also to this effect and have full confidence that you will unite in procuring the evidence which you intimate can be obtained in behalf of the prisoner. I am Sir, with great respect & esteem &c.

TO THOMAS JEFFERSON.

RICHMOND April 12. 1802.

DEAR SIR,—I find among the papers in the council chamber an acc[t] adjusted by you between Houdon and the Commonwealth. Perhaps you have a copy of it at Monticello, which may be the document to which you wish to recur before you decide on his claim. If this paper is material it shall be sent to you, tho' to me it appears as if it co[d] not be, as the sole or principal question is, what the depreciation was on the last payment made. I have no doubt that it is a wise policy to adjust the difference with Engl[d] relative to the 6th article on the terms proposed in the project before the Senate. It is important to settle amicably our aff[rs] with Europe so as to deprive

any of the great powers especially of the "causa belli" or pretext for war. I wo^d buy up any such latent pretention, at some sacrifice. It will give me pleasure to meet you in Albemarle the first week in May if possible. But I fear it will be impossible. I am forc'd to be there on the 20th of this month to meet any offer that may be made for my land above Charlottesville which I have advertised for sale on that day. If I attend on that day, which it is very incumbent on me to do, it will not be in my power to return to the council, which immediately ensues, and be back during y^r transient visit in Albemarle. Still it may happen as I will certainly be there if practicable. Y^r friend & serv^t.

TO THOMAS JEFFERSON.

RICHMOND April 25. 1802.

DEAR SIR,—I returned on Friday from Albemarle without having accomplished the object of my trip by the sale of my land above Charlottesville. In my absence an alarm took place at Norfolk relative to the negroes, which was felt here, but which seems to have little foundation for it. Such is the state of things that it is hazardous for me, in regard to the publick opinion, to be absent from this place at any time. I shall send you the document referr'd to in my last respecting the acc^t of Houdon, which may perhaps supercede a reference to that you have in Albemarle. You will be so kind as return this, it being the original filed in the council chamber. I heard with concern on my return that a bill before

Congress proposes a postponement of the meeting of the court of appeals, to some later period than the existing law provides for. I fear that such a measure wo^d^ produce a bad effect. I am persuaded it wo^d^ inspire a doubt among the people of the propriety of the late appeal, since it might be construed into a discrimination in the authors of it, to meet the court on that subject. Any measure which admitted such an inference wo^d^ give new character & tone to the federalists & put the republicans on the defensive. If the repeal was right we sho^d^ not shrink from the discussion in any course which the constitution authorises, or take any step which argues a distrust of what is done or apprehension of the consequences. A postponement by law of the meeting of the court is also liable to other objections. It may be considered as an unconstitutional oppression of the judiciary by the legislature, adopted to carry a preceding measure which was also unconstitutional. Suppose the judges were to meet according to the former law notwithstanding the postponement, and make a solemn protestation against the repeal, and this postponement, denouncing the whole proceedings as unconstitutional and the motive as impure. It might be said and truly that they had no right to meet by the law; yet as they wo^d^ claim to meet under the constitution, to remonstrate against the law as having violated the constitution, it is probable that that objection wo^d^ not be attended to. If they attack the law, I mean the act of repeal, and are resolved to avail themselves of the occasion it furnishes, to measure their strength with

the other departments of govt, I am of opinion that this postponement wod give new colour to their pretentions, new spirits to their party, and a better prospect of success. It will perhaps not be possible to avoid the collision and the crisis growing out of it. A measure of the kind referr'd to invites it. The best way to prevent one is to take a bold attitude and apparently invite it. The court has a right to take its part, and ought not to be deprived of any pre'existing means. I am not apprehensive of any danger from such a collision, & am inclined to think the stronger the ground taken by the court especially if it looks toward anarchy, the better the effect will be with the publick. The people will then have a simple, tho' important question before them. They will have to decide whether they will support the court, or in other words embark again under the auspices of the federal party, or cling to an admn in two of the departments of govt which lessens their burdens & cherishes their liberty. It is even probable that such a collision may produce in many respects a beneficial effect. The mild republican course of your admn has tended to put at repose the republicans & relieve from further apprehension the federalists. In such a state of things the former have little motive for exertion. Having overthrown their adversaries they think it beneath their character to pursue them further. Many from the habit of activity they have acquired, from independence of spirit, rivalry or other cause, begin to separate from each other & even criticise the measures of reform that are proposed. But

sho^d the federalists rally under the judiciary, and threaten anything serious, it is presumable that the republicans will revive from their lethargy and resume their former tone. These ideas having occurr'd to me on this subject I have thought proper to submit them to y^r. consideration. I am sincerely your friend & serv^t.

TO COLONEL JOHN NIVISON.[1]

RICHMOND 12th of May, 1802.

SIR,—Your letter of the 8th is received. In some former cases the conduct of Commandants of Regiments was approved by the Executive where, on the prospect of an insurrection supported by strong and imposing circumstances, they called out some of the militia to protect the country against it. The letter of the law as you justly observe does not authorize such a measure until an actual insurrection has taken place. But it would be an imperfect fulfilment of the subject, if it imposed the necessity of waiting till the slaves were embodied and in the field before any step could be taken to counteract them. By timely arrangements the lives of many citizens might be saved, and other disasters prevented. The Legislature has also approved this construction of the law, given it by the Executive, as cases of that kind were before it in 1800. The objects to be attended to on such occasions are not to call on the militia, without sufficient cause; to call out no more than are necessary for the purpose, and to dismiss them as soon as

[1] From Letter-book, State Library, Richmond.

possible. In all such cases it is to be hoped that the patriotism of our citizens who are called on to protect themselves, their families and property, will induce them to charge nothing which they can avoid, that the publick may not be improperly burdened, or discontents excited in any part of our community. The alarm at Norfolk is considered as having furnished you a sufficient motive to resort to the militia for a guard for the protection of the town and its inhabitants and the measure is approved. I have therefore to request that you will be pleased to state an account of the expenses incident thereto, and transmit the same to me, having the utmost regard to economy for the reasons above stated. For the protection of the jail, while the slaves lately condemned are confined, it is not thought necessary that a guard should be kept on foot. It is hoped that the ordinary precautions of the jailor will be found adequate to the object: but should they not, the law authorizes him to call in such aid as may be sufficient. You will observe that this is not intended as a positive inhibition of your interference. It would be improper to give any instruction which would restrain you from doing what particular emergencies might require. On the subject of repairing the arms, I will write you hereafter. It is an important point, which must be viewed generally when the subject is acted on. With great respect, I am &c.

TO COLONEL THOMAS NEWTON.[1]

RICHMOND May 12th 1802.

SIR,— I have received your letter of the 7th stating the impression made on your mind in the trial of the two slaves lately condemned at Norfolk for conspiring an insurrection against the Commonwealth, and what you have since heard on the subject. It is very much our wish to adopt a just and suitable course of policy in such cases, as the number increases, and with it the difficulty of acting. For the present both of them are reprieved to give time for all the information that is necessary to a sound decision. We thank you for your letter and shall be happy to hear further from you on it, should you hear more which you think of importance to the merits of the cause.

Will you be so good as to mention to Captain Bennett that I have received his letter, and the papers referred to in it, relative to the condemned slaves, and should write him was I not particularly pressed at the present moment. I am with great respect Sir &c.

TO JOHN COWPER.[2]

[MAYOR OF NORFOLK.]

RICHMOND May 12th 1802.

SIR,—I have received your interesting communication relative to the two slaves lately condemned at Norfolk for conspiring an insurrection against the Commonwealth. They were both reprieved to give

[1] From Letter-book, State Library, Richmond.

[2] *Ibid.*

time for you to answer the letter I wrote you by Mr. Whitehead, or for such information as any respectable citizen might be disposed to give of the character of those slaves or the witness, though not a member of the court. Should you become acquainted with any other fact or circumstance which you deem material in these cases, and will be pleased to communicate, be assured that due attention will be paid to it. The subject in a general view is of the first importance to our country; every case which occurs is of peculiar importance to the quarter in which it takes place. It is our most anxious wish to adopt the most humane course which a due regard for the safety of the lives and property of our fellow citizens will permit. In doing which we shall be much aided by a correct knowledge of all the facts and circumstances which occur in the trials. I am Sir, with great respect &c.

TO JAMES MADISON.

RICHMOND May 13. 1802.

DEAR SIR, — This will be presented you by Mr Gauvain who with his lady have made us a visit since I wrote you last. He is the gent^n^ of whom I wrote you & whose trip I wished to delay a week on account of particular circumstances, of a domestic nature. He was in my family near a year, or indeed rather more, after the appointment of Mr Skipwith to the consulate. He is amiable, well informed, perfectly upright, and attached to our country. His lady is also very estimable for her connections in France & her own merits. Two of his sisters are

married to Americans, one to Mr Taney of Maryd. the other to Mr Vans of Boston, the latter formerly appointed consul & I believe removed by Mr Adams. This gentn passing thro' Washington has expressed a wish to be personally [known] to you, to promote which object I have taken the liberty to give him this letter of introduction. Our best respects to Mrs Madison, Sincerely I am Dear Sir yours.

TO THOMAS JEFFERSON.

RICHMOND, May 17, 1802.

DEAR SIR,—I did not receive yours of the 9th till the day before yesterday (15). I am sorry it will not be in my power to see you while at home. Many considerations of a publick nature keep me here for the present, the most urgent of which is the trials, which are in train in several parts of the State, of slaves on the charge of conspiracy and insurrection, and the applications growing out of them for pardon or transportation without our limits, of those who are condemned. Of condemned I recollect abt 10 or 11 examples whose fate is yet to be decided on by the Executive. This business still holds an equivocal aspect in my view of it. The spirit of revolt has taken deep hold of the minds of the slaves or the symptoms which we see are attributable to some other cause. After all the attention which I have paid to the subject my mind still rests in suspense on it. It would have given me pleasure to confer with you on this head, that you might commence the

measure which was deemed most expedient to forward the views of the State, respecting this interesting object of its policy. Tho' indeed there is so little range for preference of places; the few which present themselves being respectively attended with so many difficulties, that nothing seems so eligible as to open the door to each for the State, that is to the West Indies, Africa, & to some position west or north of the Mississippi. Whether it will be practicable in either case is uncertain, especially the first mentioned. I am inclined to think however that the sooner it is ascertained respecting each the better. I am persuaded the day is not distant when this neglect must have a definitive regulation from the councils of the country.

I will write you more fully in my next which will be addressed (I presume) to Washington on the subject of yours. It is doubtful whether the Com^rs for Richmond & Manchester will be able to act for Petersb^g also. The doubt however proceeds from my not knowing the compensation allowed them. Professional lawyers or merchants wo^d not leave this to attend them for so trifling a sum. On the other hand if the sum was an object the addition of Petersbg. wo^d make it more so. I will give you some names in my next accommodated to such an arrangement. Col^o Newton is a very worthy intelligent man of good political views but I do not think that I wo^d ask of him a nomination under any restriction. The *fact* of such a *letter* wo^d probably become known in the place and might excite personal hatred to you

without advancing the public good, for altho' I wo^d appoint no federalist yet it may have its good effect that the avowal of that sentiment sho^d be known as rarely as possible otherwise than by the act. I say I wo^d appoint no federalist by which I mean not till it co^d be done with safety or rather advantage to the republican cause; w^h it can at no time be unless he be a republican. I will inquire who are suitable characters for such an office in Norfolk, but wo^d not wish you to rely on me as I must report their pretensions in the opinion of others.

TO JOHN COWPER.[1]

RICHMOND, May 25th 1802.

SIR,—After the most mature consideration it is resolved to let the law take its course, in the case of Jeremiah at the expiration of the reprieve whose benefit he now enjoys. The circumstances which have been communicated, are too slight to induce the Executive to suspend for a longer term, in favor of a person otherwise of bad character, the judgment of the Court founded on testimony satisfactory to it, which convicts him of a crime the most atrocious. Very deliberate attention has been paid to the subject; an attention which was due to the nature of the case, and the benevolent motives of those who communicated to the Executive some circumstances which occurred after the trial, the result whereof is to leave him to the fate to which he is doomed by the judgment of the Court. It is hoped that his example will prove

[1] From Letter-book, State Library, Richmond.

an useful admonition to the slaves, his accomplices, and totally suppress the spirit of insurrection in that quarter of the State. In the case of Ned some mitigating circumstances appear which were thought worthy of attention. He is represented to be almost an idiot, little capable of acting for himself, inoffensive and so far as any indication of intellect is discernible to give any trait to his character, that that was heretofore of the mild and peaceable cast. If such is the case it may be proper to mitigate his punishment by transportation. To obtain full information on that point a further reprieve is granted in his favor. I shall therefore be glad to hear from you on this subject and to receive such light respecting him as you possess. I am Sir, with great respect &c.

TO THOMAS JEFFERSON.

RICHMOND June 11th 1802.

SIR,—I find by your letter of the 3d that you think Sierra Leone, on the coast of Africa, a suitable place for the establishment of our insurgent slaves, that it may also become so for those who are or may hereafter be emancipated, and that you are disposed to obtain the assent of the company to such a measure through our minister in London, while your attention will be directed in the interim to such other quarters as may enable us to submit a more enlarged field to the option of our Assembly. By the information of Mr. Thornton, the British chargé des affaires, which you have been so kind as to communicate, it appears

that slavery is prohibited in that settlement, hence it follows that we cannot expect permission to send any who are not free to it. In directing our attention to Africa for an Asylum for insurgents it is strongly implied that the Legislature intended they should be free when landed there, as it is not known that there exists any market on that coast for the purchase of slaves from other countries. Still I am persuaded that such was not the intention of the Legislature, as it would put culprits in a better condition than the deserving part of those people. This opinion is further supported by a law still in force which authorizes the Executive to sell, subject to transportation, all slaves who are guilty of that crime. I submit this idea to your consideration not with a view to prevent your application to the company for its assent to the settlement within its limits, but as a motive in case you concur with me in the above construction of the resolution, why you should more particularly seek an establishment for them in the Portuguese, Dutch or Spanish settlements in America. In obtaining permission to send our negroes to that settlement we may avail ourselves of it on the principles of the company as far as it suits our interest and policy.

If the Legislature intends that insurgents shall enjoy their liberty on landing there, the accommodation would be general; but if they are excluded and the door is opened on favorable conditions to such only as are or may hereafter become free, it will nevertheless be important as it will give the Legislature an opportunity to deliberate on and perhaps

provide a remedy for an evil which has already become a serious one. I cannot otherwise than highly approve the idea of endeavoring to lighten the charge of transportation to the publick, wheresoever they may be sent. A permission to send certain articles of merchandize, which would be sure to command a profit, if that could be relied on, would contribute much to that end. Perhaps other means not incompatible with the charter of the company might be devised. Do their regulations permit temporary servitude? If they do, might not those who are sent (hereafter to be emancipated) be bound to service for a few years, as the means of raising a fund to defray the charge of transportation? The ancestors of the present negroes were brought from Africa and sold here as slaves, they and their descendants for ever. If we send back any of the race subject to a temporary servitude with liberty to their descendants will not the policy be mild and benevolent?

May not the same idea be held in view in reference to any other place in which an establishment is sought for them? I do not know that such an arrangement would be practicable in any country, but it would certainly be a very fortunate attainment if we could make these people instrumental to their own emancipation, by a process gradual and certain, on principles consistent with humanity, without expense or inconvenience to ourselves.

TO JAMES MADISON.

RICHMOND July 2. 1802.

DEAR SIR,—It is understood that the functions of the Marshall have ceased on the last June, by virtue of the late law repealing the former judiciary law of the U. States. By the former law this State was divided into two districts, an Eastern and a Western district; & Major Scott was appointed Marshall of the Eastern. By the 13. Sect: of the last law that division is abolished, the whole State is made but one district and otherwise designated in reference to the general system of districts & circuits, so as to make his commn totally inapplicable to the present state of things. His delicacy has prevented his writing to you on the subject, for reasons wh will readily occur to you. But hearing the above, as that he had not written, I take the liberty to communicate it to you, that you may examine into the affair, and apply with the least possible delay the remedy wh the case requires. You will readily perceive the inconvenience attendant on such a state of affairs. All judicial process is suspended &c. The merits of Major Scott are too well known to require commendation from me. If he was not in the office he is precisely the man who ought to be called into it, as some office which is due to extray merit, in a person who is still capable of performing the duties of any he wod undertake. Sincerely I am yr fd.

TO THOMAS JEFFERSON.

RICHMOND July 7. 1802.

AR SIR,—I enclose you some columns of a paper :dited by M[r] Callendar. It was whispered some ince that the federalists knew he was possessed ne letters from you, and were endeavouring to them before the publick. In several of his pre- papers he glanced at the subject, but at length enters more directly on it. Perhaps it will be best that nothing sho[d] be said in reply by any one, of this you will be the best judge. It may be of use to state to me the periods when the sums he mentions were advanced, & the circumstances which led to it. Any light you think proper to communicate relative to the aff[r], will be and without compromitting any one, in the mode you know most elegible. If any reply is proper he may be drawn to state facts correctly, by a person knowing them, without it appearing that you gave a hint. Sincerely I am y[r] friend & serv[t]

I communicated to M[r] Madison lately that by the last law the office of Marshall in this place, or indeed State was abolished. Major —— who is a man of great merit feels uneasy in his situation; in whose place it was impossible to put a more deserving man.

I enclose you a letter from a Capt[n] Leach with whom I was acquainted in France, who has repeatedly written me to mention him to my friends in the adm[n], and who I have mentioned to M[r] Madison, who has I am well satisfied paid the attention to the subject that was proper. I considered him an honest intelli-

gent man, a sound republican — You will perceive what he now seeks. I do not know that he is such a person as it wo^d be proper to place in such an office in so important a town. Unless he was supported by the principal republicans there it wo^d be improper to bring him forward, as I have heretofore told him. I enclose his letter to you, only because I am writing you, & have not time to write Mr Madison who has I think correct information of his pretentions.

TO THOMAS JEFFERSON.

RICHMOND July 26. 1802.

DEAR SIR,—On my return lately from Albemarle I found y^r favors of the 15. 17. & 20th which were unopened according to orders I had left in such cases. An attack from Callendar is a harmless thing unsupported by any document from yrself. From such letters as you wrote him I do not think anything is to be hoped of him or the federalists. If the printers wo^d say nothing in reply to the attacks of that party the true ground might ultimately be taken on a view of what was said by the adversary : but that is not to be expected especially at a distance. To contend that it was simply a charity to a man in distress, wo^d put them on the proof that it was more, or was given on stronger motives, and wo^d admit by implication that if it had any other object in view, such object was an improper one. I shall give such hints as to prevent anything whatever being done at present, or if anything is, to give as far as in my power the true direction to the affair. I have been long solicited to make

a visit to Norfolk, & have repeatedly promised a complyance, till I find a longer declension wo^d excite some chagrin with my friends. To decline it at this moment wo^d subject me to the imputation of doing it from fear of the yellow fever, altho none exists there that we know of. I therefore set out for that place in the morning, to return with the least possible delay. I shall hasten to Albemarle on my return here where I hope to arrive in ab^t ten or twelve days, at the latest by the 10th of Augs^t I wish you health & happiness being sincerely y^r friend & serv^t

Major Scott has yet received no information whether he is to be continued in service or dismissed. His dilemma is the cause of much pain to him & tryumph to the federalists. He is a most deserving man, of great sensibility, who has as much weight here as any republican co^d possibly have.

TO THOMAS JEFFERSON.

Memorandum August 31, 1802.

Ja^s Monroe's best respects to Mr. Jefferson, as he sets out to Richmond tomorrow or next day, & will probably not see him before his departure. He will thank Mr. Jefferson for information on the following subjects: The State of Maryland has set up a claim to the territory lying within this State N^o of the S^o Branch of Patow^k, on the principle that the S^o Branch is her true boundary. She proposes to submit the question to arbitration. Was not that point settled by the King & Council, in a controversy between L^ds Fairfax & Baltimore? Was not the settlement of the jurisdiction of the Chesapeake & Patow^k understood to be an adjustment of all interfering claims between the 2 States? This latter took place ab^t the year 1785, between George Mason & Mr. Stone.

The line between this State and Tennessee is to be settled
fall. I have obtained from F. Walker a copy of the surve
his father. Is any other document necessary on our p
Walker's line is established with N° Carolina but presumably
the separation of Tennessee from that State.

J. M. presumes that Mr. Jefferson has taken the course
mated in his last letter relative to our slaves of causing
Directors of the African Company to be sounded thro'
minister in London, as to our being permitted to colonize t
there. This subject however is not so material at present. J
may return in the course of next week; he certainly will
turn in time to see Mr. Jefferson before he sets out for Wash
ton when he will have the pleasure of conferring with him on
interesting subject.

TO COLONEL ANDREW MOORE, GENERAL JOHN PREST
AND COLONEL SAMUEL VANCE.

RICHMOND October 5th 18c

GENTLEMEN:

You will receive by the bearer five hundred
lars to be applied to the expenses attending
execution of the trust reposed in you under an
of the last session, which provides for opening a r
between the highest navigation of the James a
Kanawha rivers. In sending that sum it is
intended to affix any idea as to the amount of
expenses likely to be incurred in performing t
duty: they may be more or less, according to circu
stances which cannot be accurately estimated at pr
ent by the Executive. It is well known that
will incur no improper charge, and should the s
forwarded prove inadequate to the object, the E
ecutive will not hesitate to pay what you find nec
sary, to the full and complete execution of the tru

The Act of the Assembly referred to, points out your duty, which you will be pleased to examine and respect. It contemplates, according to my idea of its import, two points of departure from James river. It supposes that river to be navigable beyond Crowsville, and requires a view of the route from both stations, that is from Crowsville and such highest navigable point of the river. As the object of the Act is to supply the defect of water-carriage, it cannot be doubted that it will be preferred to open the road to the highest navigable point, if it can be made a good one. But as it is intended to do nothing in vain or unprofitably with respect to the great object which is contemplated, it was thought advisable to have the route from both positions viewed, and the advantages and disadvantages of each ascertained, that the Legislature having the whole subject before it, might form the law accordingly. It is supposed that the highest navigable point of the Kanawha river is more distinctly and permanently marked: that it will be easy for you to find that point and to trace the route of the road to it. I am persuaded that in tracing the road it will be necessary, in the first instance, to fix the points of its departure and termination on each river. When these are ascertained the route of the road, regarding the mountains and other obstacles of the country through which it passes, will be more easily marked. These ideas are suggested for your consideration. If they illustrate, in any degree the law, you will respect them: but the law is to be your guide according to the construction which you give it in your own unbiassed judgments.

You will observe that in this measure the Legislature contemplates a great and benevolent object of policy, being a measure which seeks to unite, so far as depends on us, by a strong bond of interest, our Western brethren with those on the Atlantic. It is a policy which this State has pursued invariably in its own and our national councils: it is one from which I trust it will never deviate. Its efforts to open the navigation of the Mississippi for the advantage of our own citizens interested in it, and of the States rearing on its waters or those which empty into it, form a trait in the character of the Commonwealth which ought not and will not be forgotten in the history of the times through which we have passed. Other acts of a like kind might be enumerated, but it is unnecessary on this occasion especially to you to whom they are known. It is equally so to observe that the Executive has appointed you to perform this trust from the confidence it reposes in your knowledge of its importance, and in the ability and patriotism with which you will execute it. I shall only add, that as I wish to make your report a part of my communication to the next Assembly, I have to request you will be pleased to render it in time for that purpose.

I am gentlemen &c.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.

RICHMOND December 6th 1802.

SIRS,—The meeting of the General Assembly at an epoch so auspicious to the publick prosperity, cannot otherwise than be highly grateful to the members

who compose it. In making the following communication, I derive much satisfaction from a survey of the objects which claim your attention. In the affairs of this State, and of the United States, in which as a member of the Union, as brethren of the same family, we are deeply interested, there is much cause to felicitate ourselves in the blessings which we now enjoy and to entertain the utmost confidence, that they will long be preserved to us.

The progress of the publick buildings in this city, has in a great measure verified the prediction which was made of it at the last session. The jail, or penitentiary house, which before that period, had become subservient to all the objects of the institution, is now almost finished. The manufactory of arms, in that part which embraces muskets, swords & pistols, is advanced nearly to the same state. The edifice has been long erected, and the interior of the front and western wing finished. The foundery for cannon has been necessarily postponed for the present. This part of the institution, though very important, appeared to be less urgent than that which was destined to the manufacture of small arms. It was deemed a primary object to commence with these, since the infantry forms the strength of every army, and in our militia comprizes the mass of the people. The foundery however may be finished in the course of the next year. As soon as any portion of the building was in a situation to admit it, a suitable number of artists, who had been previously engaged, were called into service and the manufactory commenced. This

rule has been observed since. Some difficulties usu
ally attend new establishments, especially of this kinc
in their commencement, which yield to the industr
and knowledge of the agents after they are put i
motion. Such have doubtless been felt on the preser
occasion; nevertheless the experiment made has pr
duced a result as favorable, as our early anticipatio
suggested. A number of complete stands are mad
of the best quality. In comparing them with th
specimens of other countries, which we have of thos
most distinguished for their skill, we are led to cor
clude that they are at least equal to any. I submi
a report of the superintendant, of the state of th
buildings, the sum requisite to complete them, th
number of arms made, and the cost per stand, as als
the state of the publick warehouse in this city, whic
is intended as a depository for a principal staple o
our country.

It cannot I presume be otherwise than very satis
factory to our constituents to see institutions c
such vast importance to society, commenced and ac
vanced so rapidly to maturity, under their auspices
The first of these, the penitentiary system, is founde
in a policy which, though not unknown, was certainl
never reduced to practice, in the same spirit and wit
like advantage in the ancient hemisphere. It was re
served for the mild and free governments of the Ne
World, for those of the United States, of whose prin
ciples it is peculiarly characteristic, to make a fair ex
periment of this benevolent system; a system whic
prohibits under any circumstances an useless degrad
tion of a fellow citizen: which inculcates the doctrin

that in punishing crimes, the society or rather the Government ought not to indulge the passion of revenge; that makes example useful without being sanguinary; that seeks the reformation in the correction of offenders. I am happy to add, that so far as the experiment has gone, it has confirmed the wisdom of the policy which dictated. By a report of the keeper it appears that the number of criminals who have been sent to the jail by the district courts since the institution was established, has not, on a comparison of terms essentially increased of late; that not one who was discharged from confinement there, has been returned to it; that several who were discharged had acquired habits of industry and useful trades; that one only had escaped; and that order is preserved without severity. The other establishment, the manufactory of arms, though founded apparently in opposite principles, is nevertheless in the present state of the world, of the utmost importance to society. While war is a practical science, and the destruction of the human species an ordinary pursuit of the ambition of most powers, we ought not to presume that we shall be at all times exempt from its calamities. Our distance and love of peace are not a sufficient security to us. Where powerful navies and armies are kept in service, they must be occasionally employed, however slight the pretext. Inaction gives time for reflection, which is unfriendly to establishments, the more burdensome and oppressive while they are apparently useless. A defenceless state invites to insult and invasion, and no situation is so much so as that of a people unarmed. The experience of our revolution

sufficiently demonstrated, that we ought not to re
on obtaining a supply of arms from foreign countrie
An independent nation should always possess with
itself the means of its preservation. It is an impro
dent, indeed a criminal oversight, to leave to haza
the obtaining objects of such vital importance. It
sometimes the policy of other countries to prohib
the exportation of arms altogether; this might happe
at a period of the greatest emergency to us. At n
time will they dispose of any but the refuse of the
arsenals, such as were probably taken in war fro
different nations, old, variant in calibre and inferi
in quality. Happily our manufactory promises at n
very distant period of time, if it is pursued with vigo
to put us in a state of defence by arming the whole
our militia, and furnishing supplies for our arsenal
A reliance on this resource is the more patriotic an
expedient as it will call into service our own artis
and create a demand for our own materials, such a
iron, coal and other articles.

To carry these institutions to the greatest degre
of perfection of which they are capable, it may b
deemed worthy the wisdom of the Legislature to re
vise them, and introduce into each, such amendment
as experience suggests the propriety of adopting
The Judges of the General Court have turned thei
attention to the criminal law, and will, I am taugh
to believe, present to the Legislature through thi
department, in the course of the Session, their sent
ments on the subject. No persons are so capable o
judging correctly of the merit of any system as thos

who being employed in the execution, are in the daily habit of witnessing its effect. And by no persons can opinions be given especially on such a subject, which are entitled to so much consideration, as by the enlightened, patriotic and virtuous judiciary of our country. I therefore take the liberty to refer the Legislature to the proposed communication from that department, for such remarks as are applicable to the penitentiary system. With respect to the manufactory of arms, two ideas occur, which I think proper to submit to your consideration. It is important that the artists should remain uninterrupted at their labour. The care of the building, of the instruments, materials and arms deposited there, require their continual presence. If incorporated with other militia corps the ordinary duties would take them away and leave these objects exposed to danger. It is submitted whether it might not be proper to form them into a distinct corps, under its own officers, subject to the order of the Executive alone? Such a corps always embodied as this would be in effect would contribute much to strengthen the police of the town, while it would add to the security of the publick property in it. The other idea contemplates an improvement in the economy of the institution, without affecting the product. It is important to carry it on with the least possible expense to the publick; it is equally so to diffuse a knowledge of the art of making arms throughout the community. Both these objects may be obtained by instructing the youth if an opportunity is furnished for

the purpose. It may happen that a sufficient number of young men may offer their services there, as the reward of their instruction; but as that may not be the case, may it not be expedient to promote the object by Legislative provision? It is the duty of the overseers of the poor, in the several counties, by a wise and humane provision of the law, to take charge of orphans, who are otherwise unprovided, and bind them for certain terms to suitable persons to be instructed in useful trades. Might it not be proper for the Legislature to direct the attention of the overseers, in the discharge of that duty, to this institution? If such an arrangement is found eligible in other respects it cannot be doubted that it would promote essentially the special objects that are proposed by it.

The important object of arming the militia according to law, has been pursued in the mode which was communicated to the Legislature at the last session. The transportation by water is preferred in all cases where it lessens the expense. The counties are arranged into districts, in reference to some town or other place of deposit in each, where agents are appointed, who receive the arms destined for the regiments in such districts, and forward them to their respective commandants. But as the Legislature, with a view to foster our infant manufactory, wisely prohibited the purchase of more arms, at its last session, the number since distributed is comparatively inconsiderable. It consists only of such as were apportioned among the several regiments at that time.

In the interim, the Executive has endeavored to hasten as far as circumstances permitted the delivery of the arms already contracted for, which is nearly accomplished. I submit a return of those distributed or subject to distribution under a former apportionment; of those deposited in the publick arsenal in this city; and of those which are yet to be received by contract. Supposing that a knowledge of the attention which had been paid to this great national object by the other States would be satisfactory and even useful to the General Assembly, I take the liberty to annex a communication which I have received from the Secretary of War on the subject. The Legislature will, I am persuaded, find in it much cause to commend the wisdom and patriotism of some of our sister States who have already armed the greater part of their militia; much cause to approve the measures which have been taken here in pursuit of the same policy.

In compliance with a resolution of the 10th of February, 1800, authorizing the Executive to appoint Commissioners to meet such as might be appointed on the part of Tennessee, to settle the boundary between the two States, that trust was committed, by the advice of the Council, to General Joseph Martin, Creed Taylor, and Peter Johnston, of which information was given in due time to the Governor of Tennessee. It is understood, that in conformity to a previous arrangement between them, a meeting of the Commissioners took place at Abingdon on the first Monday in October last, and that they entered

on the execution of the important duty assigned them. I have not since heard from our Commissioners, but have no doubt that they will settle the boundary in question, on principles of justice, in a manner that will prove honorable to themselves, and satisfactory to the Legislature, and in time to report the result to the present session.

Soon after the rising of the last Assembly I transmitted to the Governor of Maryland, a copy of the resolution of the 26th of January last, on a proposition of that State, to appoint Commissioners to settle its Western and Southern boundary with this Commonwealth. I also informed him that the Executive was authorized and prepared to appoint Commissioners for the adjustment of the Western boundary of that State, it being represented that it was not designated with sufficient accuracy; but that as the Southern boundary was so distinctly marked, and well known, and had been so long established and acquiesced in by both States, the General Assembly thought it consistent with its duty to postpone a decision on so much of the proposition as respected that object, until a statement of the nature and extent of the claim of Maryland was received and duly considered, which I requested he would be pleased to communicate to me for your information. The Governor did not hesitate to transmit the document requested, but declined proceeding to the adjustment of the line to which our powers extended, and in consequence the Executive took no step on its part in reference to the object. A copy of the statement of the claim of

Maryland and of my correspondence with the Governor accompanies this communication.

I have the pleasure to submit to the General Assembly reports from the President and Directors of the several companies instituted for the improvement of our interior navigation, stating the progress which has been made in it by each since your last session. By these reports you will perceive, that this bold and useful undertaking continues to be pursued with activity and zeal by those to whom it is entrusted; that the work is advanced in every branch, and in respect to the principal rivers nearly accomplished. After removing the great and more durable obstacles in the James and Potowmack (in which latter we have a joint interest with our sister State of Maryland) from their falls almost to their sources, the attention of the Directors has been turned to such as are occasional, arising more especially from rare and extraordinary droughts, for which they are providing remedies, by contracting and deepening the beds of the rivers, which cannot fail to produce the desired effect. A profit has accrued on the transportation of produce and other articles on these rivers, which was subject to distribution, and in the case of James river, has been distributed among the stock-holders: but in that of the Potowmack, where the impediments referred to were greater, the Directors, in the true spirit of the undertaking, seem disposed to prefer the application of it to the more important object of the association, the greater improvement of the navigation. The demonstration is however satisfactory,

that according to the sums deposited, it will become a very productive source of revenue.

Due attention has been paid to the Act of the last session, which proposes to open a road from the upper navigation of James to that of Kanawha river. Andrew Moore, John Preston, and Samuel Vance were appointed commissioners, to view the country between the head waters of those rivers, and report the most convenient route for the proposed communication. These gentlemen have been some time engaged in that interesting duty, and will I am persuaded execute it with the judgment and propriety that was expected from their appointment. Their report will be presented to the Legislature as soon as it is received.

I submit to the General Assembly a return of the militia of the Commonwealth, comprizing the infantry, cavalry and artillery. The strength of the infantry is believed to be about 75,000, the cavalry 3,000, and the artillery 2,000. The returns however are incomplete, although due exertions have been made to obtain them. It is proper to add that the deaths of Major General Morgan and Meade, very meritorious officers of our revolution, and the removal of Major General Clarke to the State of Kentucky, have created vacancies in their respective offices which the Legislature will have to supply.

I also submit a statement from the Auditor of publick accounts, of the receipts and expenditures of the publick revenue for the last year, ending on the first of October 1802, with a list of balances due from publick collectors.

By this view of the objects which claim your attention, it appears that the affairs of the Commonwealth, are in a regular train of increasing prosperity. Its interfering claims with other States are in a train of fair and amicable adjustment. Its laws in those cases which are a subject of this communication, seem to be directed to proper objects, and to produce their desired effect. Too much commendation however cannot be bestowed on the wisdom of those measures which tend to facilitate, by means of canals and roads a communication between the eastern and western parts of the Commonwealth. It is a course of proceeding which is due to the interest of our western brethren, if it was prompted by no other consideration. Our western settlements, especially those beyond the Allegheny mountains, are comparatively in an infant state, and require the fostering hand of the Government. Their distance from navigation, subjects them to disadvantages which ought to be remidied in all cases where it is practicable. By such improvements the Legislature anticipates the wants and satisfies the just claims, which a part of the community has upon the whole. An enlarged policy never fails to produce a correspondent effect in the bosom of a just and generous people; while it is the invariable and well merited fortune of a narrow and selfish one, to counteract its object and throw things into confusion. But the good effect of these measures will not be confined to our western brethren. It will be felt equally by those on the eastern waters, and in many respects by the United States. It is important to the towns and counties in this quarter,

that the bulky and valuable productions of the Western country should find a market here. It is equally so that the bond of union between the several parts of the State should be made as strong as possible; and it is certain that no system of policy can be devised, so effectually to accomplish that end, as one, which by facilitating the communication and promoting the intercourse between the citizens in every quarter, connects them together by the strong ties of interest acquaintance and affection. What the western part of this State is to the Commonwealth, the Western States and territory are to the Union. They are important parts of a great whole whose rights and interests merit the protection which they receive. They comprize a fertile country whose population is rapidly increasing, whose productions will be vast, and military force very respectable. The accession which that country will make to the commerce, navigation, and political importance of the United States, when it obtains its just measure of population, and equal station in the Union, is incalculable. It is highly expedient therefore to strengthen the bond of union between the Western and Atlantic States, in all cases where it is practicable, by a just, a generous and fostering policy. It lies without the scope of this communication to pursue the subject further. I thought it my duty to advert to it, so far as it was connected with that before you. The beneficial effects of the improvements referred to will be felt throughout the whole extent of the Western country, and in the degree, on the principle above stated, by

the United States. The advancement of the interests of the Union by a State is at all times not only a legitimate, but a patriotic motive of action. It is one to which I trust the General Assembly of this Commonwealth will always give its sanction.

If you turn your attention to the affairs of the United States, you will I am persuaded find equal cause of satisfaction. So completely and happily is our system of union incorporated, that although the National Government is organized on principles entirely distinct from and independent of the States, yet as it acts on the people who compose the States, we are affected by its measures, and deeply interested in its fortunes. The national prosperity or adversity constitutes that of the members which compose the nation. On a view of what has occurred since the last session, I am happy to have it in my power to add, that I consider our situation under that government essentially improved in many points that are intimately connected with the publick welfare. The military force is diminished without endangering our security: the internal taxes are repealed, some of which were burthensome and vexatious, without hazard, as we have reason to believe, to the publick faith: the administration of justice is placed on an eligible and economic footing: our amicable relations with foreign powers are preserved with dignity and effect; our liberty is cherished, and what is also very important, there has taken place in the publick mind, a degree of tranquility and peace which are highly conducive to the publick happiness. These measures

have a tendency to rest the government on the people, by whom, and for whose benefit it was founded.

A strong military force, heavy taxes, and extensive patronage are contrary to the spirit of free government, and often prove the means of subverting it. Circumstances may sometimes require a recourse to such expedients, but the urgency should be great and apparent to justify it in any case, and they should be dispensed with as soon as the occasion ceased. The strength of free government consists in that of the people, in their population, their patriotism, their ability and promptitude to discharge all the duties which the publick exigencies demand. Whenever the Government collects a force or otherwise acquires an artificial strength—distinct from and independent of the people, there is just cause for apprehension and alarm; less it is admitted in these States than elsewhere, yet principles are eternal and ought never to be lost sight of.

The United States occupy an extensive and important section of the Globe, happy in its soil, its climate, and distance from the Old World. With a population already considerable, which increases with unexampled rapidity, we are destined to be a great people, and if we are not the most blind and worthless of mankind, we must be a happy one. Our political institutions are in many respects new, and carried especially in government, to greater perfection than was ever known before. More fortunate than Greece or Rome, we enjoy a greater portion of true liberty, than existed under those celebrated

republics of the ancient world, while by means of a better organization we are exempt from the turbulence and anarchy to which they were subject. More fortunate than the monarchies of ancient or modern times, our governments possess their greatest energy, with a degree of liberty which is incompatible with the hereditary system. Protected by our Union, the bulwark of our safety, let us unite, on sound principles, in exertions to confirm our republican system, to amend its defects where it has any, and to increase the spirit of harmony so necessary to the welfare of societies and the happiness of individuals.

In my communication to the General Assembly at its last session, I took the liberty to recommend to its attention some defects in existing laws on important subjects, with a view to their amendment. These respected the education of our youth, the discipline of our militia, and the improvement of our publick highways. The latter object is connected with the commercial interest, the convenience and comfort of our citizens, and the ornament of our country. The other two are pillars on which self-government rests, and should therefore always be kept before us with a view to their greater perfection. As I entertain the same opinion on those subjects that I then did, I consider it my duty to invite your attention to such parts of that communication as respect them. This communication is the last that I shall have the honor and pleasure to address from this station. The lapse of a few days completes the constitutional term of my service and restores me to the condition of a private

citizen. Resting at this point my mind naturally looks back to the incidents of my past life, the greater portion of which has been devoted to the service of my country; and when I recollect the many signal proofs which I have received of its favorable disposition towards me; the early period at which I was taken into its service; the important offices intrusted to my care, more especially the present one, to which I was appointed at a time and under circumstances which made me consider it a very distinguished mark of the publick confidence, I cannot close this communication without experiencing the most interesting emotions. It would be improper for me to dwell on this subject; it may be so to glance at it. But the Legislature will I am persuaded readily perceive that I am led to it by considerations, which would prove me to be void of feeling, insensible to the high obligations which have been conferred on me, if I did not hold them in grateful remembrance. In the course of my service I may have erred but not intentionally. My political principles have been invariable, as they have been at all times open and avowed. It has been the unwearied effort of my life, in the best manner that my judgment dictated, to promote the happiness and support the liberty of my country; not that liberty which degenerates into licentiousness, which dishonors the name and ruins the cause it professes to espouse; but the correct rational liberty which emanated from our revolution. That this genuine liberty, protected by elective governments, founded on the sovereignty of the people may be

preserved and handed down as a blessing to our latest posterity is the object of my most fervent prayer to the Supreme Ruler of the World.

I beg you and your colleagues to be assured of the high respect and consideration with which I have the honor to be Sirs, Your most obedient servant.

TO THE COUNCIL.[1]

RICHMOND, Dec. 7, 1802.

Your very obliging and friendly communication of this date, merits and receives my warmest acknowledgement. At the moment of retiring from the office of Chief Magistrate, which I have held for the last constitutional term of three years, I cannot be indifferent to the good opinion of those with whom I have so long acted. Sensible of what was due to the just rights of the Council of State, and to the merit of the members who composed it, it was my earnest desire, as it was my duty, to respect those claims in our official intercourse; and it is highly gratifying to me to find that my endeavors were not ineffectual. Had I erred, I should have deemed myself the more culpable as the generous example of a contrary conduct was always presented to me on its part.

All my official acts have been known to the Council of State, in their commencement and conclusion. You, therefore, have it completely in your power to judge of the propriety of my conduct in every transaction. That it has your approbation, is a circumstance which will at all times give me unfeigned

[1] From Calendar of Virginia State Papers.

pleasure. Having labored long to the utmost of my powers in support of our republican institutions, that cause can never be indifferent to me. That it may prosper, and that you may long live to enjoy the fruit of your upright, uniform and able support of it, is the earnest wish of your sincere friend and fellow-citizen.

TO THE SPEAKERS OF THE GENERAL ASSEMBLY.

RICHMOND, December 9th 1802.

SIRS,—I have the pleasure to communicate to the General Assembly a copy of my correspondence with the President of the United States relative to the purchase of lands without the limits of the State, to which persons obnoxious to its laws may be removed. This correspondence was enjoined by a resolution of 1800, and commenced in 1801, but as doubts were entertained of the import of the resolution, I submitted a copy of the correspondence as far as it had gone to the Legislature at the last session, that the object of the resolution might be made more explicit. The copy of the communication which is now submitted is in obedience to the resolution as amended. You will observe that no tract of country is yet obtained or other asylum for the proposed purpose: that the state of things in the French West Indies, which excites alarm in the other Islands, precludes the hope of obtaining one there while that state lasts; that for the present the attention of the President is directed to the Sierra Leone establishment on the coast of Africa, to whose company application is directed to be made for the desired accommodation. The affair however

is only in train, the result of which will be communicated to the Legislature hereafter.

On the subject of the Maryland claim, I shall be permitted to make a few remarks which it is thought advisable to communicate in confidence. From the view I have been able to take of the subject I think our claim to the north branch of the Potowmack, the present boundary of our State well founded on several principles. 1. By the uninterrupted exercise of the jurisdiction of both States to that limit, from their first settlement. 2 By a judicial decision between Lords Baltimore and Fairfax, which is I think reported in some modern English reporter. 3. By the convention since the revolution, between the two States which settled their boundary, in which Colonel George Mason acted on the part of this State, whose papers relative to it ought to be obtained, as his notes on any subject are in all cases very deserving of attention. 4. By limitation of time, which under certain circumstances, is deemed by the writers on publick law the evidence of a good title as well in favor of nations as individuals; which circumstances are thought to exist in the present case. In meeting the pretensions of Maryland would it not be proper to do it with a view to satisfy her and the world by able investigation and discussion, that she had no right, rather than in the expectation of ceding the territory; and on that idea would it not be advisable that the persons employed should have no power to adjust the question, but be authorized simply to give and receive explanations, and report the same to the General Assembly. I

have thought that these remarks, which occurred in the attention it was my duty to pay the subject, would be received by the General Assembly in the spirit in which they are given, a desire to promote the cause of justice and the interest of our country.

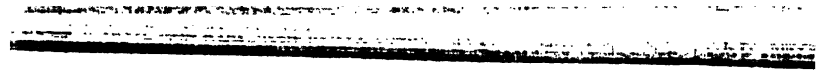
I have the honor to be with respect & esteem &c.

TO THOMAS JEFFERSON.

RICHMOND December 17, 1802.

DEAR SIR,—Gen! Scott having intimated to me his intention to visit the federal city, I take the liberty to introduce him to yr. acquaintance as a very deserving and respectable citizen of this State. Tho' not at present a member of the legislature, yet having been here several days he will be able to communicate to you such incidents of this place as merit attention. The re-election of General Mason to the Senate is a thing of course. It is only necessary to make it known that he will serve, to secure him a very gen! vote in both houses. I have hinted his assent to some & presume it will be attended to in due time.

APPENDIX.



APPENDIX.

A VIEW, &c.*

IN the month of May, 1794, I was invited by the President of the United States, through the Secretary of State, to accept the office of Minister Plenipotentiary to the French republic. The proposition was plain and direct, announcing to me, for the first time, that the executive thought of me for that office; and certain it is, I did not solicit, desire or even think of it for myself. The secretary observed that Mr. Morris was to be recalled, and it being necessary to appoint a successor, the President had requested him to inform me, he should be glad I would take his place. I received the communication with a due degree of sensibility; but yet the proposal was so new and unexpected, that it was, from a variety of considerations, impossible for me to give an immediate answer to it. I requested some days to deliberate on the subject, which were granted.

* The title-page of the *View* as originally published is "*A View of the Conduct of the Executive, in the Foreign Affairs of the United States, connected with the mission to the French Republic, during the years 1794, 5, & 6.—By James Monroe, Late Minister Plenipotentiary to the said Republic—Illustrated by his Instructions and Correspondence and other authentic documents.*" The imprint is "Philadelphia: Printed by and for Benj. Franklin Bache, and to be had at the office of the *Aurora*, No. 112 Market Street. M,DCCXCVII." After the title-page is the following: "Advertisement.—The Editor conceives it incumbent on him to inform the Public, that the Author of the following *View* is not concerned in the emoluments of the publication. The Editor holds the copy right as a free gift, and it is entirely at his expense and for his benefit that the work is published." Professor Jameson's bibliography shows a second edition, London, 1798, and a third, same place and year. (See London *Monthly Review*, vol. 25, p. 232).

The paragraph in the Instructions and likewise a part of the letters of May 2, and of August 27, 1796, which, from motives of delicacy, Monroe omitted to

I was at this time a member of the Senate of the United States, for the State of Virginia, which station I had held for several years before. It had been too my fortune, in the course of my service, to differ from the administration, upon many of our most important public measures. It is not necessary to specify here the several instances in which this variance in political sentiment took place between the administration and myself: I think proper however to notice two examples of it, since they serve essentially to illustrate the principles upon which that variance was founded, and the light in which I was known to the administration and my country before this proposal was made to me. The first took place when Mr. Morris was nominated minister plenipotentiary to the French republic; which nomination I opposed, because I was persuaded from Mr. Morris's known political character and principles, that his appointment, and

print, are given in their proper places in this edition of *The Writings*, the reasons that controlled Monroe existing no longer. His own were that the article of Instruction applied to the case of an individual, and the passages in those letters were likewise of a personal nature, unconnected with the merits of any general topic.

The few errors or omissions that appeared in the original publication and to which Monroe referred in his preface are now correctly given. The notes are either Monroe's own or suggested by his, with merely such change as proper reference to *The Writings* or State Papers requires.

President Gilman describes the war of pamphlets and newspaper articles that followed the publication of the *View*, in which Federalists and Republicans damaged each other's reputations as much as they could. Party feeling, he writes, was ablaze before Monroe published his book, but the flames rose fiercely when it appeared.*

From the original manuscripts in the Department of State the following are extracts: August 9, 1797, Pickering wrote to General Washington: "Mr. Monroe has anticipated me in furnishing you by his publication in the newspapers, the correspondence between us on the subject of his demanding the reasons of his recall. After such a solemn demand, so zealously maintained and after such professions of candour — I did not imagine he would have the folly to avow, as in his last letter that he in fact wanted no information on this point: proving, what I supposed was the real object at first, that he made the demand *in order to be denied.*—I kept a table ready for him in my office during a week, while I

* *James Monroe.* By Daniel C. Gilman. American Statesmen Series. Houghton, Mifflin & Company, 1899.

especially at a period when the French nation was in a course of revolution, from an arbitrary to a free government, would tend to discountenance the republican cause there and at home, and otherwise weaken, and greatly to our prejudice, the connection subsisting between the two countries. The second took place when Mr. Jay was nominated to Great Britain ; which nomination too I opposed, because under all the well known circumstances of the moment, I was of opinion we could not adopt such a measure, consistently either with propriety, or any reasonable prospect of adequate success ; since being a measure without *tone*, and one which secured to that power *time*, which of all things it wished to secure, it seemed better calculated to answer its purpose than ours ; moreover, because I was of opinion, in the then state of European affairs, it would be made by the enemies of the two republics the means of embroiling us with France,

expected him to review his correspondence with the Department; but he has never called, although he stated this as necessary for his information in his intended vindication." Monroe did, however, review, at some time after the date of this letter, his correspondence with the Secretary of State, as the records bear indications of his having done so. Washington replied: "Colonel Monroe passed through Alexandria last week, but did not honor me by a call.—If what he has promised the public does him no more credit than what he has given to it, in his last exhibition, his friends must be apprehensive of a recoil." On January 20, 1798, Pickering wrote to Washington: "I send in the mail, with this letter, Monroe's book and Fauchet's pamphlet . . . Monroe's publication, like Randolph's vindication, is considered by every one whom I have heard speak of it as his condemnation or as some have expressed themselves, his death warrant. A writer in Fenno's paper, under the signature of *Scipio*, has undertaken the examination of it and clearly convicted Monroe from his own written documents. I believe the writer of *Scipio* is Mr. Tracy. The pieces are written with uncommon perspicuity. If you do not get Fenno's paper, and will permit me I will send you the whole series. Eleven numbers have already appeared, and I suppose the writer is near the conclusion." Uriah Tracy's "Reflections on Monroe's View . . . as published in the *Gazette* of the United States under the signature of *Scipio*," were also attributed to Hamilton. They were subsequently published under the above title in a pamphlet of 88 pages and also in one of 140 pages, printed by Caleb P. Wayne, Publisher of the Boston *Gazette and Daily Advertiser*. Washington's copy of the *View*, containing his marginal comments, paragraph by paragraph, is in the Harvard College Library (See Ford's *Writings of Washington*, vol. XIII., page 452). Oliver Wolcott, in his letter of January 20th, wrote: "Mr Monroe's book

the other party to the European war; and because I thought it was unconstitutional to appoint a member of the judiciary into an executive office: And lastly, because I also thought, from a variety of considerations, it would be difficult to find within the limits of the United States, a person who was more likely to improve, to the greatest possible extent, the mischief to which the measure naturally exposed us. This last example took place only a few weeks before my own appointment, which was on the 28th of May 1794.

When I considered these circumstances, I was surprised that this proposal should be made me by the administration, and intimated the same to the Secretary of State; who replied, that my political principles, which were known to favor the French revolution and to cherish a friendly connection with France, were a strong motive with the President for offering me the mission, since he wished to satisfy the French government what his own sentiments were upon those points. He added, that in his opinion, the President was as sincere a friend to the French revolution and our alliance with France, as I could be, and of course that nothing would be required of me inconsistent with my own principles; on the contrary that I should be placed on a theatre

is a wicked misrepresentation of facts:—his conduct is detested by all *good* men though I [am] sorry to say that *many* applaud it. I have *good grounds* for believing Mr. Tracy to be the author of *Scipio*—but this is not, & I believe will not be *generally* known. As respects your character & the merits of your administration of the government, Mr. Monroe's book, will have no impression beyond the circle of Tom Paine's admirers." Wolcott's letter was in reply to Washington's having written him: "Mr. Monroe, I am told, appears in a voluminous work. What is said of it? A writer under the signature of *Scipio* will, I conceive, work him pretty well. Who is *Scipio*? I am fishing for no secrets, but if the author *is* known, or conjectured on *good grounds* I should like to know who he is." Mr. Henry wrote: "Monroe's Memoir has been little read and has made no converts to his party. He has, I think, sunk in the public opinion." Harper of South Carolina found the *View* the most complete justification of the Administration for Monroe's recall. These were, however, the opinions of Federalists. The Republicans expressed themselves differently. Jefferson wrote: "Your book was later coming than was to have been wished: however it works irresistibly. It would be very gratifying to you to hear the unqualified eulogies both on the matter & manner by all who are not hostile to it from principle." Dr. Edwards approved of the good effect produced by Monroe

where I might gratify my feelings in those respects, and at the same time render a most useful and acceptable service to my country; for that our affairs with France had fallen into great derangement, and required an immediate and decisive effort to retrieve them. Thus advised I submitted the proposition to my friends, who were of opinion I ought to accept it, and whereupon I did accept it.

My instructions were drawn in strict conformity with these sentiments, as will appear by a perusal of them. They enjoined it on me, to use my utmost endeavours to inspire the French government, with perfect confidence in the solicitude which the President felt *for the success of the French revolution; of his preference for France to all other nations as the friend and ally of the United States; of the grateful sense which we still retained for the important services that were rendered us by France, in the course of our revolution;* and to declare in explicit terms that although neutrality was the lot we preferred, yet in case we *embarked in the war it would be on her side and against her enemies, be they who they might.* Several incidents which had occurred in the course of our affairs of a nature to create in France doubts of a contrary disposition in our councils, were expressly adverted to, for the purpose of

in publishing certain facts and advised him to make no reply to scurrilous attacks at that time. John Taylor "of Caroline" wrote to Monroe: "Your book in detached parts had made its way to Richmond before I left it, but it was so scrambled for that I was able only to get a sight of the first fifty pages. In these parts not a single copy is to be had for love or money, so that I have not even yet seen the residue. As far as I could read it, my warmest approbation was obtained; altho' I confess that its contents were not at all surprising to me, being very nearly such as my opinion of our government had led me to anticipate." Madison wrote to Jefferson: "The attack on Monroe's publication evidently issues from or is aided by an official source, and it is a proof that the latter bites. I have not yet seen a copy of it, and was astonished to learn in Richmond, where I passed a day, that a single copy only had reached that place, which from the length of it, not more than 2 or 3 persons had read. By them it was said that if this did not open the eyes of the people, their blindness must be incurable. If a sufficient number of copies do not arrive there before the adjournment of the Assembly the only opportunity of circulating the information in this State will be lost for a year, that is till the subject has lost its flavor. The enormous price too was complained of as a probable obstacle to an extensive circulation."

enabling me to dissipate those doubts, by such explanations as might be most successful. The mission of Mr. Jay to London was particularly noticed; because it was, I presume, deemed most likely to produce or foster such doubts. Upon this point my instructions were as follows: "It is not improbable you will be obliged to encounter on this head suspicions of various kinds. But you may declare the motives of that mission to be, *to obtain immediate compensation for our plundered property and restitution of the posts.*"

Another incident was taken advantage of by the administration, with a view to satisfy the government of France that its professions were in all respects sincere. The Senate and House of Representatives had each passed a resolution, expressive of the interest they took, respectively, in the welfare of the French republic, with a request by each to the executive, to transmit the same in its behalf to the French government. In fulfilling this duty the executive availed itself of the opportunity furnished, to declare its own sentiments on the same subject, which it did in terms the most strong and emphatic that could be used. In communicating the resolution of the Senate it was observed by the Secretary of State (through whose department the communication passed) "that in executing this duty, the liberal succours which the United States received from the French nation, in their struggle for independence, present themselves warm to the recollection. On this basis was the friendship between the two nations founded: On this basis and the continued interchange of regard since has it grown; and supported by these motives it will remain firm and constant. The Senate therefore tender to the committee of public safety, their zealous wishes for the French republic; they learn with sensibility every success which promotes the happiness of the French nation; and the full establishment of their peace and liberty will be ever esteemed by the Senate as a happiness to the United States and to humanity." And in communicating that of the House of Representatives, it was further added; "that in no manner could this honorable and grateful function be more properly discharged than by seizing the occasion of declaring to the ally of the United States, that the cause of liberty, in the defence of which so much American

blood and treasures have been lavished, is cherished by our republic with increasing enthusiasm; that under the standard of liberty wheresoever it shall be displayed, the affection of the United States will always rally; and that the successes of those who stand forth as her avengers will be gloried in by the United States, and will be felt as the successes of themselves and the other friends of humanity. Yes, representatives of our ally, your communication has been addressed to those who share in your fortunes, and who take a deep interest in the happiness and prosperity of the French republic."

These resolutions were public, being printed and published on the journal of each house; whence it was reasonable to infer, that the communication of the executive, which announced them to the French government, was likewise of a public nature, especially when it was considered that the committee of public safety might publish the whole, if it thought fit. No intimation was given me by the administration that it was its wish they should be kept secret; I therefore concluded that the publication thereof, was a circumstance, that must have been contemplated by the executive.

Upon this basis my mission was laid; a basis which satisfied me, that whatever might be the success of our extraordinary mission to England, its objects were so few, and its powers so strictly limited and well defined, that nothing could possibly result from it, that would lessen the confidence of France in the friendship and affection professed towards her, or call in question the purity of my motives in accepting, under the administration, this mission to the French republic. The prospect before me therefore every way was an eligible one. My connection with the administration was formed upon my own principles; or rather our principles appeared to be the same in all the points in question; and the duties it was enjoined upon me to perform, were those in which of all others I wished to succeed: for nothing could be more delightful to me, than by labouring to inspire the French government, upon terms safe and honorable to myself, with a confidence in the fair and friendly views of our own, to contribute to reclaim to the bonds of a close amity, two countries whose friendship was contracted in the war of our revolution, and which ought to be

eternal; but who were now unhappily diverging from each other, and in danger of being thrown wholly apart; and, as I presumed, equally against the interest and inclination of both. Nor could any thing be more delightful to me, than to be able, by means of that confidence, to recover to our citizens a full indemnity for the injuries they had already sustained by the loss of it: And these were the particular duties it was enjoined upon me to perform. I embarked therefore immediately with a view to commence and pursue them with zeal.

Upon my arrival in Paris, which was on the 2d of August 1794, I found that the work of alienation and disunion had been carried further than I had before even suspected. The harassment of our commerce had commenced, and gone to some extent; and a coolness and distrust of our policy were marked strongly in their proceedings. In short it was apparent that things were in train for an entire separation of the two countries, as may be seen by reference to the documents which exhibit a correct view of the then state of our affairs.*

I presented my credentials to the commissary of foreign affairs, soon after my arrival; but more than a week had elapsed, and I had obtained no answer, when or whether I should be received. A delay beyond a few days surprised me, because I could discern no adequate or rational motive for it. The state of things occasioned by the fall of Robespierre, which took place just before my arrival, might protract it for that term, but not a longer one. Soon however intimations were given me, that it proceeded from a very different cause; one too which materially affected the honor of our administration as well as my own. It was intimated to me that the committee, or several at least of its members, had imbibed an opinion that Mr. Jay was sent to England with views unfriendly to France, and that my mission to France was adopted for the purpose of covering and supporting his to England; that the one was a measure of substantial import, contemplating on our part a

* See a summary in letter of February 12, 1795 to the Secretary of State; also my notes to the committee of public safety of September 3, 1794, and letter to the same of October 18, 1794.—As also Mr. Skipwith's report to me heretofore printed by order of the House of Representatives.

close union with England; and that the other was an act of policy, intended to amuse and deceive. It was added that this impression not only caused the delay of my reception, but that the committee being unwilling to become the dupes of that policy was devising how to defeat it, and in consequence that it was impossible to say when I should be received. I was equally disgusted and disquieted with this intelligence, because I thought the impression the committee had taken of the views of our administration was unfounded; and because I foresaw if it influenced their councils it would produce effects very injurious to our affairs. And on my own part I felt a degree of resentment towards the committee, for suspecting that I would become the instrument of a policy so opposite to my own principles; or in other words that I would inlist under the administration for the purpose of promoting the views, that were ascribed to it, by betraying those republican principles which were near to my heart, and to the advancement whereof my past life and services had been dedicated. Upon consideration of these circumstances, and especially as I conceived myself strong in the ground upon which I stood, in respect to the views of the administration as well as my own, I was resolved to take the subject from the committee, and present it before another tribunal. With this view I addressed a letter to the convention on the 14th of that month, notifying it of my late arrival, and asking to what department of the government I should present myself for recognition; and I was happy to find that this expedient produced immediately its desired effect, for I was in consequence thereof received and recognized by the convention itself on the day following.*

* Note of Mr. Skipwith—SIR, In answer to your request of my stating to you such incidents as concerned and preceeded your recognition by the national convention, I am enabled to say, from a most perfect remembrance of the fact, that from the many days' silence of the committee of public safety, who had the sole control of diplomatic relations, some doubts had began to circulate of the ultimate issue of your reception; and I well recollect that upon an interview during that period with a certain French gentleman, who had before for many years filled, and who does now fill, a respectable station under this government, he gave me to understand, that there might be in the committee of public safety an indisposition or some opposition to your being recognized, and therefore strongly

When I delivered my address to the convention, I thought proper likewise to lay before it, the resolutions of the Senate and House of Representatives, as communicated by the administration, and with design to place the views of the administration as well as my own, in respect to France and the French revolution upon clear, just, and honorable ground. I thought I perceived distinctly that not only the temper which had been shewn by the committee, but the general derangement of our affairs with France, proceeded in a great measure, if not altogether, from the same cause, a suspicion that we were unfriendly to them ; hence feeling no motive to discriminate between us and the other neutral powers, which were royal powers, and secretly hostile to the revolution, they had comprized us in their regulations with respect to them. *This* therefore appeared to me to be the most suitable time to make an effort to remove that suspicion, and *that* measure the most likely to accomplish it. Upon this principle then that step was taken, and I was happy to find that it produced immediately in the convention, and throughout France, the favorable effect I had expected from it. With the committee however it did not produce an effect so immediate, nor ever in the same degree.

Being recognized, I now applied myself to the ordinary duties of my office, and with all the zeal of which I was capable. The first object to which I turned my attention was the deranged state of our commerce, and the first application I made to the committee of public safety was for a restoration of the ancient and legitimate order of things, with reparation to our citizens for the injuries they had sustained by a departure from it. My first note to the committee of public safety on this subject, bears date on the 3d

recommended the expediency and propriety of your addressing yourself directly to the convention. The substance of this conversation was more than once repeated to me by said gentleman, and with the particular desire of my communicating it to you. You may also recollect, as I think I do, that another person at that time holding an office which gave him the best possible means of information, did make to both you and myself like intimations. Indeed, the delay of the committee of public safety after you had announced your mission in causing you to be recognized, was enough to inspire, and did inspire, very serious doubts of its final issue. With very sincere esteem, I am dear Sir, your most obedient servant, FULWAR SKIPWITH.

of September, 1794; in which I discussed * and combated copiously, and as ably as I could, the conduct of France in thus harassing our commerce, against the stipulations of certain articles in our treaty with her; and urged earnestly the immediate repeal of the decrees which authorized that proceeding. I had closed my note with this demand, when further reflection, strengthened by the apparent temper of the committee, suggested a doubt whether I had not transcended my instructions, and might not by such a demand, under such circumstances, and upon my own responsibility, bring on my country the embarrassment of demands on the other part, under another article of the treaty. I examined again and again my instructions, and was finally of opinion they did not contemplate the demand. But yet I was unwilling to suffer the impression which the manner of my reception by the convention had made upon the community at large, to pass off, without an effort to improve it to advantage; and was persuaded from what I witnessed of the general temper of the public councils, that the way to turn that impression to the best account, was to make a liberal and generous appeal, on our part, to like motives on theirs. Upon this principle, therefore, and upon due consideration of the above circumstances, the last clause in that note was drawn. By this however I do not wish to be understood as having been guided by political motives only in expressing the sentiments contained in that clause; on the contrary I admit they were strictly my own; affirming at the same time that they would never have been thus expressed, had I not been satisfied, they were such, as it was honourable for the United States to express, and were likely also to promote their interest.

The passage in my instructions applicable to this subject was as follows. After speaking of the Bordeaux embargo it adds: "But you will go farther and insist upon compensation for the captures and spoliations of our property, and injuries to the persons of our citizens, by French cruisers." There appeared to me to be a material difference between a power to demand compensation for captures and spoliations already made, or which might afterwards be made, and that of calling specifically on the French

* See vol. II., p. 41.

government, to execute certain articles of the treaty between the United States and France, which it was known before I left America were set aside, and the reasons for so doing explained. I concluded if it had been intended to demand an execution of those articles of the treaty, I should have been specially instructed so to do, since the object appeared to me to be too particularly important to have escaped the attention of the administration; or, being attended to, to have been meant to be comprized in the above article of instruction. And the circumstance which suggested caution on my part, lest I should expose my country to injury and myself to censure, was the stipulation in our treaty of alliance with France of 1778, by which we bound ourselves, in return for her guarantee of our independence, to guarantee to her forever, her possessions in the West Indies. I was fearful if we pressed her to fulfill strictly those articles in our treaty of commerce, which were favorable to us, it might induce her to call upon us to fulfill the article above mentioned in our treaty of alliance.

My note was now before the committee, and my efforts to obtain an early and full compliance with its several objects, earnest and unceasing. Six weeks, however, elapsed and I had made no progress at all. On the 18th of October * I sent in a second note in support of the former and with like effect. From the committee itself I could obtain no answer, and to my informal applications to some of its members, I found that the difficulty of allowing our vessels to protect the property of English subjects, whilst they gave none to that of French citizens, against the English cruisers, with that of distinguishing in our favor from the case of Denmark and Sweden, in which we were now involved, were objections of great weight with the committee.† But yet I thought I could discern another motive which though withheld, or rather not avowed, was likewise a powerful one. I thought I perceived, still remaining in the councils of that body, a strong portion of that suspicion of our views, in regard to our mission to England, so impressive upon my arrival; but which I had hoped

* See vol. II., p. 88.

† See letter of December 2, 1794, to the Secretary of State.

was eradicated ; and the more earnestly I pressed an accommodation with my demands the more obviously did this motive present itself to my view. Thus our affairs were at a stand and the prospect of making any progress in them at best a gloomy one. In the interim too our commerce was harassed, and the same system continued in other respects, which I was labouring to change. Possessing then, as I thought I did, the specific remedy, I was resolved to apply it to the disease. For this purpose therefore I sought and obtained an interview with the diplomatic members of the committee, commencing a conversation with design to lead them to that point, that I might explain in a suitable manner the objects of Mr. Jay's mission to England, and in which I easily succeeded.* The Gazettes had teemed with reports for some time before this, that Mr. Jay was about to pass over to France, to propose a mediation of peace, on the part of America, at the instance of England, which reports had, as I understood (impressed as the committee was with his political character) contributed to keep alive, if not increase, the suspicion above referred to. I began therefore by making a kind of offer of our services to the republic to promote peace, by way of mediation, according to an article in my instructions ; but in a manner to create a belief that we neither wished nor would undertake that

* Memorandum of a conversation that passed some time in November, in an interview between Mr. Monroe and two Diplomatic members of the committee of *Salut Public ;* at which, by his desire, I was present.

The subject was introduced by Mr. Monroe's observing on the necessity that all powers at war must feel to bring their disputes to a close — That this was often effected by the interposition or mediation of a third power — That, on the present occasion, the United States, actuated by the warmest wishes for the tranquillity and happiness of the republic, would cheerfully contribute their good offices towards bringing about a pacification with the allied powers, if their *entremise* would prove acceptable or useful to the Republic ; at the same time, declaring explicitly, they were by no means disposed to listen to any overtures that might be made them by the other powers at war, for conciliating their mediation.

To this it was replied, that the government received those offers as a distinguished mark of the friendly disposition of the United States towards the Republic, and would not lose sight of them :—But that her enemies, if they felt a necessity for peace, must make direct application for it ; and, that the dignity

office unless by solicitation ; nor then except at the instance of our ally : adding that I wanted no immediate answer to this communication, having made it only to inform them of the amicable views of our administration towards France. So far my chief object was to discredit that report without noticing it. The members however adverted directly to it, asking me whether it was true, and to which I replied, that it could not be true, since Mr. Jay was sent to England upon special business only, "to demand compensation for the depredations on our trade and the surrender of the western posts," * to which his authority was

of the Republic, supported as it was by the successful progress of its arms, rendered this mode of treating only admissible.

It was asked ; if Mr. Monroe was in correspondence with Mr. Jay? To which he replied, he was not. — And it was then further asked ; if Mr. Jay was expected soon in Paris?

Some conversation led to Mr. Monroe's observing, that the object of Mr. Jay's mission to England was confined solely to the procuring compensation for the depredations committed on our trade, and obtaining the surrender of the western posts.

By the diplomatic members, it was mentioned, that it was understood, the United States had declined acceding to some proposals made them by Sweden and Denmark, for joining their armed neutrality — to which Mr. Monroe observed, that he was unacquainted with such proposals, but admitting they were made, the result could not be known, until after the opening of the session of congress.

The offer of the mediation of the United States, made by Mr. Monroe, appeared to me to be received with coolness, though the expressions acknowledging their sense of it were perfectly polite ; and in the questions relative to Mr. Jay, above cited, with others of more indifferent nature, there appeared to be couched a degree of jealousy and suspicion of the object of his mission.

Paris, January 16th, 1795. JOHN H. PURVIANCE.

* See Mr. Purviance's note of the conference, which may be relied on as accurate ; because he interpreted between the members and myself, upon that occasion ; since at that time I could not so much rely on my knowledge of the French language, as to depend on myself in that respect. By his note I am also reminded, that other topics were touched on by these members, and in particular, that I was asked, whether I corresponded with Mr. Jay? and replied, that I did not (as was the fact at the time) on political topics, which was doubtless the object of the enquiry. I recollect too, that when the question was propounded, it was done in a manner to impress me with a belief it was suspected I made the proposition at the instance of Mr. Jay, and in harmony with the British government.

strictly limited. The members acknowledged, in terms sufficiently polite, the attention which was shewn upon that occasion, by the administration, to the interest of France, as well in the offer of service to the French republic by the United States, as in the confidential communication I had made upon the subject of our own affairs, and thus the conference ended.

About this time I was applied to by Mr. Gardoqui, minister of finance in Spain, to obtain for him of the French government permission to enter France, ostensibly to attend certain baths on account of ill health; but, as I supposed, to open a negociation for peace with the French republic. At first I was averse to comply with his demand; because I was persuaded, from what I saw of the jealous temper of the committee towards us, that an agency in the affairs of the enemies of France, however friendly the motive for it in regard to France might be, was more likely to encrease than diminish their distrust, and by means thereof injure our own affairs; and because I did not like to repeat overtures of friendly offices, when it was possible the motive for so doing might be misinterpreted. The demand however being reiterated, and passing by trumpet through the Spanish and French armies, I could not well avoid presenting it to the view of the French government. I resolved however, in so doing, to express myself in such terms as to shew my independence, equally of Spain and France; upon which principle my note to the committee of public safety of the 13th of November 1794, inclosing copies of Mr. Gardoqui's letters to me, was drawn; for by the manner in which I delivered my sentiments of Mr. Gardoqui's views in writing those letters to me, it must have been obvious, that there was no political concert between him and me; and by the manner in which I addressed the committee upon that occasion, it must have been equally so, that although I wished success to the French republic, yet I had too high a respect for the United States, and knew too well what was due to myself, to weary that body with professions or overtures of friendly offices, which were not solicited. This incident I am satisfied produced a good effect in our favor, by drawing towards me the confidence of the French government, and of course to the communications which I made it on the part of our own.*

* See letter of November 13, 1794, to committee of public safety.

Just after this, I was asked by the diplomatic members of the committee of public safety, whether I thought they could obtain by loan, of the United States, or within the United States, some money to aid the French government in its operations. I understood, about four or five millions of dollars were wanted, to be laid out in the purchase of provisions and other supplies in the United States. The inquiry was rather an embarrassing one, for many reasons. Upon a full view however of all circumstances, I thought it best to refer the committee for an answer to the administration; availing myself of the occasion it furnished, to unfold more fully the then subsisting relations of the United States with Britain and Spain respectively, with a view not only to dissipate all remaining doubt on those points, but to engage France to assist us in our claims upon those powers in case it should eventually be necessary so to do. Shortly after this I was informed by the diplomatic members of the committee of public safety, that their minister then about to depart for the United States would be instructed to propose to our government an arrangement, whereby France should engage to secure the attainment of all our claims upon those powers, when she made her own treaties with them, as likewise to protect our commerce against the Algerines.*

By these several communications and explanations, on my part, which were much aided by the movements of General Wayne on the Frontiers, shewing that if we were not in a state of actual war with Great Britain, so neither were we in that of actual peace; as likewise, by some changes in the committee itself, it was soon to be seen, that the doubts which that body had heretofore entertained of the sincerity of our professions, and rectitude of our views began to wear away; for, from this period, may be dated a change in its policy towards the United States; a change which soon became so visible afterwards.

About this time, it is important to be remarked, that I received a letter from the Secretary of State, of the 25th September, 1794, which assured me, that in his judgment our negociation with England was likely to fail in all its objects, and that *that* with Spain

* See letter of February 12, 1795, to Secretary of State.

was at a stand ; the courts of Madrid and London being cordial in their hatred of the United States, and a determination to harass them through the Indians. By this letter too, I was advised of the efforts made by the French Minister, Mr. Fauchet, through his Secretary Mr. Le Blanc, to inspire the French government with a belief, that *certain members in our own had a British tendency ;* and admonished of the means I had to confront that idea, *since I knew how Mr. Jay was restricted ;* an object to which my attention was now particularly called, since, under existing circumstances, it was deemed *indispensable for us to stand well with the French Republic.** Thus advised, I not only felt myself fortified in the measures I had already taken to cultivate a good understanding with the French government, as above stated ; but stimulated to pursue the same object by like means, with new zeal.

By this time I had become personally acquainted with many of the members of the committee, the reserve heretofore shewn me being in a great measure thrown off ; nor did I ever fail to avail myself of the opportunities thereby furnished, to urge as a *man*, what I had so often before pressed as a public minister ; nor can it be doubted, that the effect thereby produced, in regard to the objects in view, was a salutary one.

On the 18th of November 1794, the committees of public safety, commerce and supplies united, passed an arreté, by which the commissary of marine was ordered to adjust the amount due to our citizens on account of the Bourdeaux embargo ; as likewise for supplies rendered to the government of St. Domingo. By it, too, the embarrassments which impeded our direct commerce with France, as also those which impeded it with other countries, by the arbitrary rule of contraband, in respect to provisions destined for those countries, were done away. Free passage, in our vessels, was likewise allowed to the subjects of the powers at war with France, other than soldiers and sailors in the actual service of such powers. In short, all the objects to which my note of the 3d of September extended, were yielded ; except that of allowing our vessels to protect enemies' goods, which point was declared to

* See letter of December 2, 1794, to the Secretary of State.

be withheld, until such powers should agree, that the merchandise of French citizens, in neutral vessels, should likewise be free.*

Thus the business of reform in our affairs with the French Republic was happily commenced. By the above arreté an important change was actually produced in the general temper and conduct towards us; for by it many practices, very injurious to us, and heretofore legal and even commendable, were now prohibited and made criminal. And much likewise was done by the mitigation, which this change in the public councils, now become general in our favour, produced in the execution of that which was yet tolerated; for after this I do not recollect an instance, especially in France, where a vessel of ours was brought in upon the suspicion of having enemies' goods on board.

But the business of reform did not end here; on the contrary it was only commenced; for not long after this it was proposed by the above named committees, united with that of legislation, in a report to the convention, as the part of a general system, to put in execution likewise that article of our treaty, which stipulates, that free ships shall make free goods, which proposition was adopted on the 3d of January, 1795, and announced to me by the committee of public safety immediately afterwards. Thus the ancient harmony between the two countries was completely restored by a repeal of the several decrees and arretés which had disturbed it.

It is a circumstance worthy of attention, that as, upon a former occasion, the United States followed the fortune of the other neutral powers, such as Denmark, Sweden, &c. when the decrees restrictive of their commerce passed, so upon the present one those powers followed the fortune of the United States, by participating with them in the benefit of the repeal of those decrees. In the former stage, the United States had not sufficient weight to separate themselves from the condition of those powers, which were royal powers, and unfriendly to the French revolution; in the latter they had acquired sufficient weight to recover the ground they had lost, and even to impart the advantages of it to those

* See Extract of the Register of Arrêts of the committees of public safety finance and supplies, of November 18, 1794.

powers also; for having been heretofore connected, it was now difficult for the French government to distinguish, in that respect, between those states and those other powers.

Our affairs with France were now in a prosperous state. By the repeal of the decrees under which our trade was harrassed, there was an end put to complaints from that cause; and, as orders were issued for the adjustment of the accounts of such of our citizens as had claims upon the French Republic, with a view to their payment, the prospect of retribution for past losses was likewise a good one. Soon too our commerce flourished beyond what was ever known before; for by virtue of our treaty with France of 1778, whose stipulations were now respected in every article, we were becoming, and actually became, not only the carriers of our own bulky and valuable materials to England and her allies (with the exception, in their case, of the strict contraband of war only) and of course to every port of the sea, which gave us a friendly welcome; but were likewise, on account of the protection which our vessels gave to the property of the enemies of France, becoming also the carriers of England and her allies in the war. Such, too, was the friendly bias of the people of France towards us, that notwithstanding our vessels gave no protection to French property against English cruizers, nor in certain cases to the productions of the French islands become American property, yet we were become likewise the principal carriers of France. Even the privilege of American citizenship was an object of great value to the owner (I mean in a mercantile view) for an American citizen could neutralize vessels, funds, &c. and thus profit, in many ways, by the condition of his country. Nor did France invite us to the war, or manifest a wish that we should engage in it; whilst she was disposed to assist us in securing our claims upon those powers, against whom we complained of injuries. In short, such was our situation with the French Republic, and with other powers, so far as depended on the French Republic, that there was but one point upon which we had cause to feel or express any solicitude, which was that it might not vary.

But unhappily this state of things, so correspondent with our ancient relations with that country, so congenial with the public sentiment, and necessary to the public welfare, was not doomed

to be a permanent one; for even whilst the proposition, last above-mentioned, was depending before the convention, accounts were received from England, that Mr. Jay had concluded a treaty with that power, of very different import from what I had been taught by my instructions to expect, and had likewise taught the French government to expect would result from his mission. Hitherto I had understood, and had so stated, that his powers were limited to the adjustment of the particular points in controversy between the two countries; but by these accounts it appeared, that a treaty was formed, upon very different principles, whereby our connection with France was essentially weakened, by a new and very close one with England. Here then began a new era in our affairs, which will be perhaps forever memorable in the annals of our country, the incidents attending which I will proceed to relate.

It will readily occur to every dispassionate mind, that this report, though merely a report, must have subjected me to some embarrassment, which would continue 'till I was enabled completely to disprove it. But I will not dwell on this circumstance. I will proceed to narrate facts which shew how we lost the ground we had gained as above, and ultimately reached the point where we now are.

As soon as this report reached Paris, it was obvious that it produced in the committee a very disagreeable sensation in regard to us; for immediately afterwards, I was applied to by that body in a letter, which stated what they had heard of the contents of that treaty, and asking in what light they were to consider it.* It happened, that I had received on the same day a letter from Mr. Jay, of the 25th of November,† informing me, that he had concluded on the 19th of the same month, a treaty with Great Britain, which contained a declaration "that it should not be construed, or operate, contrary to our existing treaties;" but, "as it was not ratified, it would be improper to *publish* it." I therefore made his letter the basis of my reply to the committee, inserting verbatim so much of it as applied; adding, that although I was ignorant of the

* See letter from the Committee of Public Safety of December 27, 1794.

† Vol. II., p. 180.

particular stipulations of the treaty (which, however, for the removal of all possible anxiety on that subject, I would communicate as soon as I knew them) yet I took it for granted, the report was altogether without foundation. My answer was so far satisfactory to the committee as to prevent, at the time, any change in the policy recently adopted towards us; for the decree, which proposed to put into full execution our treaty of commerce with France, then depending, as already observed, before the convention, was passed without opposition.

In promising to communicate to the committee the contents of this treaty as soon as I knew them, I did so in the expectation of fulfilling my promise, when I received a copy of the treaty from the Department of State, and not before; for I expected no further information upon that subject from Mr. Jay. I concluded, as he had already communicated to me a part of the treaty, and withheld the residue, that he had done so upon mature deliberation, and meant to communicate to me no more of it; and in this opinion I was the more confirmed, from that passage in his letter, which stated, that as the treaty was not ratified, it would be improper to *publish* it; since I could not understand that passage, otherwise than as an intimation, he should withhold from me the other parts of the treaty. And in making that promise to the committee, I did it with a view to preserve the same spirit of candour in my communications with that body, *now that the treaty was concluded*, that I had done whilst the *negociation was depending*, a departure from which would doubtless have been immediately noticed. To the Department of State therefore alone I now looked for such information respecting that transaction, as the public interest required I should possess; always presuming it would place the result, upon a footing correspondent with its previous communications to me, and mine to the French government, with which they were sufficiently acquainted.

On the 16th January, 1795, I received another letter from Mr. Jay of the 28th of November preceding, informing me that he proposed soon to communicate to me, in cypher, the *principal heads* of the treaty *confidentially*.* This information surprised

* See vol. II., p. 180.

and embarrassed me. It surprised me, because it promised a result different from what I had expected from his preceding letters; and it embarrassed me because, although it was for many reasons an object of great importance with me to possess the treaty, in case it were of the kind I had understood it would be, yet I was now very averse to receive it, in case it were otherwise, on account of the promise I had already made to the committee, to communicate to it the contents, as soon as I knew them, as above stated. Thus circumstanced I resolved to write to Mr. Jay, by a confidential person, and inform him of my engagement with the committee, requesting a copy of the treaty to enable me to comply with it; urging as a motive for his sending one and truly, the good effect it would produce upon our affairs there; in the expectation of obtaining one, only in case the treaty was of a particular import, in which case I could see no motive why he should refuse that mark of confidence to the committee; and of preventing its being sent, in case it was otherwise, or in case Mr. Jay did not wish its contents to be known to the French government; for in either of those cases, and especially if clogged with any condition whatever, I did not wish to possess it. I committed this letter to the care of Mr. Purviance, a very respectable and deserving citizen of Baltimore, who departed with it a few days after the receipt of Mr. Jay's letter above mentioned, and returned with his answer, bearing date on the 5th of February, sometime early in March following. In his reply he refused to send me a copy of the treaty as I had requested; urging as a motive for his refusal, that we were an *independent* nation, *&c. had a right to form treaties, &c.* with other sound maxims which were never questioned.*

Here again I concluded and hoped that the business between Mr. Jay and myself was at an end, and of course, that I should hear nothing further from him upon the subject of his treaty. But here again I was disappointed; for sometime in March I received another letter from him of the 19th of February, by Colonel Trumbull; in which he informed me, he had authorised that gentleman, to communicate to me the contents of that treaty,

* See vol. II., p. 229.

in *perfect confidence*, to be imparted to no other person.* This last letter was still more extraordinary than any which preceded it: For as he had refused to send me a copy of the treaty, according to my request, by Mr. Purviance, and omitted, not to say refused (though indeed I understood his omission in the light of a refusal) otherwise to inform me of its contents, by that very safe opportunity, I did not see how the correspondence could be continued on that subject, on his part. Nor was my surprise otherwise than greatly increased, after having informed him, that the only acceptable mode by which the contents of the treaty could be conveyed was by the transmission of a copy of the instrument itself, at the proposition which he now made, to communicate them to me *verbally*, upon a presumption that it would be *more satisfactory* to me, to receive them *thus*, than by written *extracts from the treaty*, and upon condition that I would communicate them to *no other person whatever*. This proposition being altogether inadmissible, was of course rejected.

Soon after this, Colonel Trumbull made a communication, upon the subject of this treaty, to Mr. Hichborn of Boston, with design that he should communicate the same to me unconditionally; and of course, in the expectation that I would communicate it to the French government. In consequence I received this communication in *writing* from Mr. Hichborn, with the attention which was due, to those two gentlemen, whom I personally respected; and made of it, afterwards, all the use which a paper so informal would admit of: † And thus was executed Mr. Jay's promise to communicate to me the contents of his treaty with the English government; upon which topic I will now make a few observations only, and then dismiss it.

My promise to communicate to the committee the contents of Mr. Jay's treaty, as soon as I knew them, sufficiently explains the motive of that intimation to him; but why demand a copy of the instrument for that purpose? Why not make my representations to that body, upon the faith of Mr. Jay's to me, without further proof? Ought this to be expected under like circumstances by

* Vol. II., p. 238. † See vol. II., p. 243.

any one? Or, ought any person who refuses to repose confidence in another, as was the case in the present instance, by withholding the document in question, to expect that *that other* would confide in him? Is not the very circumstance of withholding a document, whilst the party possessing it labours to impress you with a belief that *such* are its contents, calculated to create at least a suspicion that the fact is otherwise; and that the solicitude shewn proceeds from a desire to deceive? And if such would be the effect of such conduct on the part of a man indifferent or unknown to you, what ought to be expected from it when practised by one in whose political morality you had no confidence, and of whose obnoxious political principles and views you were already forewarned, by a long acquaintance with them? These considerations will, I presume, likewise sufficiently explain why I would make no representation to the French government of the contents of that treaty, for which I became personally responsible, upon the mere authority of Mr. Jay, or otherwise than upon a copy of the instrument itself.

But I had another reason of great weight in my mind for requiring a copy of the treaty from Mr. Jay, or preventing further communication with him on that subject, in case he would not send one. My object, as already stated, was by fair and honest means, to remove the suspicions which the French government entertained upon that subject; and with a view to promote the interest of my country. If then, Mr. Jay enabled me to accomplish the object, by a copy of the treaty, he seconded my views. But if he did not, every communication from him short of that, only tended to weaken the ground upon which I stood; whilst it personally embarrassed me. It will be remembered, that by my instructions I stood upon strong ground; since by their authority I could declare what I believed the treaty was, as I had before done what I believed it would be. But this I could not do in the case of a difference of the treaty from my instructions, unless I remained absolutely ignorant of its contents: Nor would the French government believe me in case I did, unless the declaration was supported by circumstances the most satisfactory, of which would be a belief, that there was no confidential understanding between Mr. Jay and myself; for knowing, as was to be

presumed, the footing upon which we stood before we left America, as well as the administration knew it, or even we ourselves, and suspecting (as the committee always did) the object of his mission to England, which suspicion was now revived, perhaps much increased,— it would not fail to construe such intimacy into a proof of my apostacy, and his and my mission, on the part of the administration, into an act of political intrigue, directed against the cause of liberty, of which France was to be alike the dupe and the victim ; an imputation I not only did not merit, but to which I was resolved to give no countenance or sanction whatever, by any part of my conduct. This consideration, therefore, likewise fortified me in the resolution I had already taken, to request a copy of the treaty as the only document that could be useful to me, and neither to accept from him that or any other, otherwise than unconditionally.

Such was my conduct upon the above occasion, and such the motives of it. Such was, likewise, Mr. Jay's conduct upon that occasion, on whose motives I shall forbear to comment. What they were throughout, it is submitted to others to determine, upon a view of the facts and circumstances presented ; which cannot otherwise than furnish to the impartial a satisfactory guide. Henceforward, therefore, I looked to the department of state, for all further information respecting the contents of that treaty, and in the interim, upon the faith of my instructions and the clause sent me by Mr. Jay, continued to assure the committee, that, in my opinion, it contained nothing which ought to give them just cause of uneasiness ; but if it did, that it would be disapproved in America: * Which assurance was, most certainly, not without effect ; since, by means thereof, the committee was preserved, if not in a state of perfect confidence, yet in one of perfect tranquillity.

Heretofore, the few letters I had received from the Secretary of State were written before he was apprized of my arrival in France ; and, of course, referred to a state of things which preceded that event : But about this period, being the beginning of February 1795, I received a letter from him of the 2d of

* See letter of April 14, 1795, to the Secretary of State.

December 1794, which was written after he knew of my arrival, and upon the receipt of my third letter (of the 15th of September, of the same year) the two preceding letters having not yet reached him. In this he notices my address to the convention; as also my letter to the committee of public safety of the third of September following; both of which acts he censures in the most unreserved and harsh manner. In the first he charges me with having expressed a solicitude for the welfare of the French Republic, in a stile too warm and affectionate; much more so than my instructions warranted; which too he deemed the more reprehensible, from the consideration, that it was presented to the convention *in public and before the world*, and not to *a committee in a private chamber;* since thereby, he adds, we were likely to give offence to other countries, *particularly England, with whom we were in treaty;* and since, also, the dictates *of sincerity do not require that we should publish to the world all our feelings in favor of France.* For the future he instructs me, to cultivate the French Republic with *zeal*, but without any unnecessary *eclat*, and by my letter to the committee, demanding an indemnity for spoliations, and a repeal of the decrees suspending the execution of certain articles of our treaty of commerce with France, he objects that I had yielded an interest it was my duty to secure. To support this charge, he selects out the last clause in that letter, and without entering into the spirit of the paper, or its probable effect upon the committee, reasons upon it as if it stood alone, and contained an absolute and formal surrender of the right in question; for which act of indiscretion, or rather misconduct, he intimates in pretty strong terms, that the administration think a mere reprimand inadequate.

To this letter I replied immediately, in one of the 12th of February,* in which I answered, explicitly, his several charges, and, I presume, proved they were unfounded in every instance. Upon this occasion I thought proper in reply to his first charge, to lay open more fully than I had before done, some truths, at which, indeed, I had before only glanced; particularly the light in which our administration was viewed by the committee upon

* See vol. II., p. 193.

my arrival;* a circumstance which had subjected me to so many and painful embarassments at that period, and for some considerable time afterwards, and so much to the injury of our affairs; details I would never have given, had I not thus been called on to do it in my own defence: For, in truth, as I thought after those embarrassments were surmounted, that complete harmony was perpetually re-established between the two countries, it was my wish as well from public considerations, as from motives of personal delicacy towards the parties interested, to bury them in oblivion. And in reply to his second charge, I answered by informing him, that some time before the receipt of his letter I had transmitted him a copy of a decree which carried into full execution the violated articles of our treaty of commerce with France; whereby the very object was obtained (as in my judgment it had been much forwarded by the mode in which it was pressed) the abandonment whereof he had laid to my charge.

I likewise thought proper, upon this occasion, to explain fully the light in which I had understood my mission, as stated in my instructions; with the relation it bore to that of Mr. Jay; all doubts respecting which, in the French government, I was instructed to remove, by making explanations the most explicit, and upon those points upon which such doubts were most likely to arise. In discussing this subject, and stating how I had acted,

* To convey an idea of the rise and progress of the discontent and distrust of the French government, it would be necessary to go back to a period antecedent to my mission,— to the appointment of a man of the political principles and character which were known to belong to Mr. Morris, my predecessor; to his conduct during the early stage of the French revolution, and whilst in office; which by constantly favoring the royal party, in opposition to the republican course of things, rendered him odious to the French government; to his being continued in place, notwithstanding all this, till his recall was absolutely demanded by the French government; and lastly, to the discovery made by that government, that ours was not dissatisfied with his conduct; since to its demand, and not to a disapprobation of any part of Mr. Morris's conduct was his recall owing; which discovery was made by an intercepted letter from the Secretary of State, to Mr. Morris, expressly assuring him that such was the case. It would be painful to go into details on this subject; but the circumstances here hinted will make it easy to conceive the unfavorable inferences that must have been drawn respecting the temper and views of our administration.

I plainly told our administration within what limits I expected the result of that mission would be found ; intimating, that I had a character not to be sacrificed. To this view I was led by the general tone of the Secretary's letter ; which created a doubt, whether the ground upon which I was placed by the administration was a solid one ; for I could not conceive, if Mr. Jay's mission was limited to the objects specified in my instructions, and was otherwise of the character I was taught to believe it was, why such sensibility, or rather such dissatisfaction, should be shewn on account of my presenting to the convention, publicly, those documents which tended to prove how strong the feelings of the administration *were in favor of the French nation.* To express sentiments in private, which it was wished should not become public, appeared to me a strange doctrine to be avowed by the administration of a free people ; especially as it was known that the sentiments, thus expressed, were in harmony with those of the people, and with those publicly and formally expressed by the representatives of the people. Nor could I reconcile such a solicitude for privacy to any idea of consistent or rational policy, in regard to the object of the mission to England : For if the object of that mission was to press that government into a compliance with our just demands, as I understood it to be, I could not conceive how that pressure could be weakened by a knowledge, that we were upon a good footing with the French Republic. On the contrary, I did suppose, that a knowledge of that fact would produce the opposite effect, by giving us a more advantageous attitude in the negociation. These considerations, therefore, suggested a train of reflection which gave me much disquietude, from a fear that the administration had dealt uncandidly with me from the commencement.

Scarcely, however, had I dispatched this letter, when I received another from the administration of the 5th December 1794 (three days later only than the former one) but of a very different import from the former one. In this last letter, my two first of the 11th and 25th of August 1794, were acknowledged and approved, and a kind of apology made for the harsh language used in the preceding one. In this also was renewed, in general but very strong terms, the injunction formerly laid on me, "to

cultivate with the utmost zeal the friendship of the French Republic, taking care to remove every suspicion of our preferring a connection with Great Britain or weakening our old attachment to France." To this letter I likewise gave an immediate answer, in which I assured the Secretary that it had removed the disquietude his former one had occasioned, and that thus instructed I should continue to use my utmost efforts to forward the objects of my mission, as I had done before.

It will be remembered that before the accounts of Mr. Jay's treaty arrived I had availed myself of some incidents that occurred, to explain to the committee the actual situation of the United States in regard to Britain and Spain; with a view, among other objects, to obtain the aid of France in our depending negociations with each, in case it were deemed necessary by our Executive; and that the French government proposed instructing its minister, then about to depart for America, to make some proposition to our administration upon that subject. But as soon as those accounts were received, that project was of course abandoned; for it was entertained only at a time, when it was supposed the mission to England would fail. Still however I wished most earnestly to embark the committee in support of our claims upon Spain; since *they* formed a distinct interest, as yet unprovided for, and now much exposed to danger by the appearance of an approaching peace between France and Spain; for I thought it probable, if they were not then adjusted, much time might elapse before they would be. Nor did I doubt, it would be easy to accomplish the object, especially if I could satisfy the committee, beyond all controversy, that the interest of France was not injured by our Treaty with England, without which indeed I felt a reluctance to ask that aid; and in order to enable me to do which, by an act of confidence and candour (in case I found it necessary) and not to satisfy any unwarrantable demands of the French government, for none such were made, was a strong motive why I had requested of Mr. Jay a copy of his treaty as above related.

Upon due consideration therefore of these circumstances (although Mr. Purviance, to whom I intrusted my letter for Mr. Jay had not yet returned) I addressed the committee upon that

subject, in a letter of the 25th of January 1795,* in which I explained, more fully than I had before done, the nature of our claims upon Spain ; and likewise endeavoured to prove that independent of the motive of rendering an useful and acceptable service to the United States, which I presumed was a strong one, since it would always draw after it its own reward, from a just and a generous people,— there were other considerations of interest, growing out of the relation which the territory, to be benefited by the security of those rights, had with the French islands, which in themselves were sufficient to prompt the French government to yield us that aid. To this letter I received an answer from the committee, of the 8th of February following, addressed in very polite terms, promising to examine with profound attention the observations I had submitted to it, and to give me the result without delay.

Thus this affair rested till sometime in the beginning of March following, when I was informed by Mr. Pelet of the diplomatic section of the committee of public safety,† and afterwards by Mr. Cambaceres, likewise of that section, that in reliance that our treaty with England contained nothing injurious to France, they had expressly instructed their agent, then negociating with Spain, to use his utmost endeavours to secure for the United States the points in controversy with that power. And shortly afterwards, as their negociation advanced, I was asked, as well as I remember by those members, as likewise by Boissy D'Anglas, whether we wished to possess the Floridas, since it was intimated it would be easy for France to obtain them ; but which she would not do otherwise than with a view to cede them to the United States. I replied I had no power to answer such an interrogatory ; but was well persuaded we did not wish an extention of our territory. Well satisfied I am, that France declined taking them in her treaty with Spain, which soon followed, from a fear it might weaken her connection with the United States.‡

* See notes respecting the Mississippi.

† See the postscript to letter of March 6, 1795, to the Secretary of State.

‡ I did not mention the intimation about the Floridas to the administration, because I thought it a subject with which I had nothing to do, seeking only to open the Mississippi and settle the boundary, according to my instructions ; and

It merits attention, that the part which the French government now took, with a view to secure the claims of the United States against Spain, in its own treaty with that power, was taken merely from motives of friendship for those States, without any claim to, or demand of retribution of, any kind whatever. It equally merits attention, that it was taken at a time when the contents of the English treaty were unknown to the French government, and not unsuspected by many to be of a nature injurious to France. Had that treaty then never passed, and had we also otherwise preserved the ground upon which we stood with that nation, in the commencement of its revolution, what might we not have expected from its friendship?

About the middle of May I received a letter from Mr. Short * at Madrid, written by the desire of the duke of Alcudia, chief minister of Spain, to request that I would, as minister of the United States, endeavour to open a new and more active negociation between that power and France, he having previously assured Mr. Short, that the claims of the United States should be adjusted to their satisfaction. The prospect therefore of success in that important concern was now as fair as it could be.

Shortly after this Mr. Pinckney, who was commissioned to negociate and adjust our interfering claims with Spain, arrived in Paris on his way to Madrid. I informed him of what had passed between the committee of public safety and myself upon that subject; assuring him I was of opinion, if he would explain the object of his mission to the committee and ask its friendly cooperation, satisfying it at the same time, that the interests of France were not injured by our treaty with England, that such aid would be granted. Mr. Pinckney was aware of the benefit which would be derived from such aid; but yet did not consider himself at liberty to obtain it, by shewing a copy of Mr. Jay's

because, had the case been otherwise, that state of things was too transitory to admit anything being done to it. I find, however, afterwards, when the French government began to change its policy towards us, and were supposed to be treating for that territory with Spain, that in communicating what I heard of the depending negociations, I mentioned also, its former disposition in that respect, as a proof of the change.

* See vol. II., p. 268.

treaty, which I intimated might be necessary completely to remove the doubts that were entertained in that respect, and therefore deemed it most suitable to say nothing to the committee upon the subject of his mission. I obtained for him, however, an interview with the diplomatic members of the committee, by whom he was received with respectful attention; after which he proceeded on his route to Spain. From this period I never mentioned to the committee the subject of our dispute with Spain; because all agency in that business seemed now to be completely withdrawn from it, and because I could not well do it, under existing circumstances, without violating equally the rules of decorum to both governments. By the committee indeed, a further pressure on my part for its aid, would most probably have been deemed an act of extreme impropriety; and by our administration it might have been deemed an indelicate and ill-timed interference with its measures. Had the committee, however, secured for us those objects in its own treaty, without regarding our mission to Spain, it would have exhibited a novel spectacle to the world; that of one government pursuing another with good offices, apparently against its wishes; nor would the surprise, which that spectacle must have occasioned, have been diminished by a knowledge of the interior details which produced it. It would at least have greatly embarrassed the administration to explain the cause of such a phenomenon to its credit; notwithstanding the advantage thereby gained to the public.

Such was the state of things when Mr. Pinckney arrived in Spain; who very wisely and very fortunately pushed his negociation to a close, whilst that state lasted.

Sometime in the beginning of May 1795, I received a letter of the 8th March,* from the Secretary of State, and shortly afterwards two others; one of the 15th February and the other of the 7th of April following. In that of the 15th February, the Secretary informed me he had not then received Mr. Jay's treaty, but observes, "it is probable our commercial intercourse has also been regulated: Say, if you please, that a treaty has been concluded for commerce also, &c." He adds, "that in the principal

* See *American State Papers*, Foreign Relations, vol. I., p. 699.

heads of the negociation, the surrender of the posts, the vexations and spoliations of our commerce, and the payment of the British debts, France can have no possible concern ;" that by our treaty with her, she enjoys all the advantages of the most favoured nation, &c. and by that of the 8th of March, he acknowledged the receipt of the British treaty on the 7th, but says it will remain undivulged by the Executive till the 8th of June, when the Senate would convene to deliberate on it. In this he notices the uneasiness of the French Minister on account of that treaty, upon which point he makes some general observations declaratory of our right to regulate, by treaty, our affairs with England, in regard to the posts, spoliations and commerce, as we pleased, adding, that "so far as a cursory perusal of the treaty enabled him to speak, he discovered no reasonable ground for dissatisfaction in the French republic." And in that of the 7th of April, the same sentiments in general were expressed, with a remark, "that the confining of the contents of the treaty to the President and Secretary of State, was not from any thing sinister towards France, but from the usages in such cases ; not from an unwillingness that the executive conduct should be canvassed, but from a certain fitness and expectation arising from such a diplomatic act." He adds also, "that the invariable policy of the President is, to be as independent as possible of every nation upon earth, &c."

By these letters it appeared that Mr. Jay had concluded a treaty upon other principles than those to which his powers were restricted, as inferred from my instructions, and of course, that the nature and object of his mission to England had been misrepresented, through me, to the French government. This circumstance subjected me to a degree of embarrassment which may be easily conceived ; nor was it lessened by the intimation of the Secretary, that he saw no *reasonable* ground for dissatisfaction in the French republic, especially as he admitted the uneasiness of its Minister, and likewise withheld from me the contents of the treaty ; a reserve I could not account for upon any consistent principle on the part of the administration ; nor otherwise, but upon its belief that the treaty would be deemed injurious to France by the French government. The more, therefore, I reflected upon this subject, the more uneasiness it gave me. I was

aware of the reproach to which I was personally exposed, let the commercial part of the treaty be what it might. But this was not the only consideration which gave me pain; I was also fearful that this transaction would bring on a crisis in our affairs, which might be productive, in many respects, of much harm. Soon, however, I resolved upon the line of conduct, which, in the then juncture of affairs, it became me to pursue. That the administration had injured me, was a point upon which I had no doubt; that it had likewise compromised its own credit, and with it that of the United States, was also a truth equally obvious to my mind. But the regard due to these considerations was the point to be determined. What did the honor and interest of my country require from me in the actual state of affairs? What was my object in accepting the mission to the French republic, and how, under existing circumstances, could that object be best promoted? These were considerations of primary importance which presented themselves, and claimed a more early and dispassionate decision. Upon mature reflection, therefore, it appeared that I had but one alternative, which was to remain where I was, and proceed in the functions of my office, notwithstanding the embarrassments to to which I might be personally subjected, or to retire, and in retiring, to do it tranquilly, without explaining my motives for it; or by explaining them, denounce the administration to the public. But by withdrawing tranquilly, I should not only have admitted the misconduct of the administration, which I did not then wish to admit, but likewise my own, since it would have exposed me to the suspicion of having accepted the trust to serve a particular purpose, and withdrawing after that was accomplished. Besides, it seemed probable that my retreat at that moment, in either mode, might have some influence in inducing the French government to adopt a system of policy towards us, which it was equally my duty and my wish to prevent. I resolved, therefore, to stand firm at my post, and let occurrences be what they might, to continue as I had done before, to use my utmost endeavours to preserve harmony between the two countries; since that being an object invariable in my mind, I did not see how I could abandon it at a moment when it was menaced by a new danger, from whatever cause or quarter proceeding. To this resolution too I was the

more inclined, from the consideration that it was now probable, in case the treaty with England was in other respects of a different import from what I had been taught to expect it would be, and should likewise be ratified—that I should be recalled by the administration; which compulsory mode of retreat I preferred to a voluntary one, upon the principle, if the administration took that measure without shewing a sufficient cause for it, consistent too with its previous declarations, that it would not only furnish to the world a new datum, whereby the better to estimate its general policy; but likewise leave me completely at liberty to explain, in every particular, the motives of my own conduct.

Having then resolved to stand at my post, or rather not desert it by a voluntary retreat, the path before me, though likely to be difficult, was nevertheless a direct one. On the one hand it was my duty, let the treaty be what it might, to endeavour by all suitable means to reconcile the French government to it. And on the other, to state faithfully to our own such facts and circumstances as occurred, tending to shew the impression which the treaty made on the French government; so that the administration, being correctly advised, might act accordingly. Upon this principle, therefore, I replied to the Secretary, in answer to his letters above mentioned, that I regretted the decision of the administration to keep the treaty secret for the term specified; since, as I had explained to the French government the object of Mr. Jay's mission whilst its issue was uncertain, it was thought strange the result should now be withheld; a circumstance too, I added, which, by keeping alive the suspicions that were at first imbibed of its contents, would not fail to prove hurtful to our affairs in the interim. I assured him, however, that I should continue to endeavour to inspire the French government with a confidence, either that the treaty contained nothing improper, or would not be ratified in case it did.*

About the last of June or beginning of July 1795, Colonel Humphreys, then resident minister of the United States at Lisbon, arrived at Paris with a view to obtain of the French government its aid, in support of our negociations with the Barbary

* Letter of May 17, 1795, to the Secretary of State.

powers. He brought no letter from the administration to the French government, to authorize his treating with it in person, and of course it became my duty to apply in his behalf for the aid that was desired. Accordingly I addressed a letter * to the committee of public safety on the 5th of July 1795, opening the subject to its view generally, and requesting its aid in such mode as should be agreed between us. I own I made this application with reluctance, because under existing circumstances I did not think it could be made without compromitting in some degree the credit of the United States; for between governments as between individuals I deem it undignified, however friendly their antecedent relation may have been, to solicit good offices, at a time when the friendship of the soliciting party is doubted, as was the case in the present instance. But I own also that my reluctance was diminished by the knowledge that the administration possessed the treaty with England, whilst Colonel Humphreys was in America, and the presumption thence arising, that this objection was weighed and overruled before his departure. Having however made the application I was resolved to pursue the object of it with the utmost possible zeal. In consequence I sought and had many conferences with the members of the diplomatic section of the committee of public safety, and the commissary of foreign affairs upon the subject, in which I was assured the aid desired should be given in the most efficacious manner that it could be. After some delays too, attributable at one time to us, on account of the situation of our funds, and at another, to the committee then much occupied with their own affairs, arrangements were taken for pursuing those negociations under the care of Joel Barlow, and with the full aid of France. At the moment however when Mr. Barlow was upon the point of embarking with our presents, &c. intelligence was received that a Mr. Donaldson, whom Colonel Humphreys had left at Alicante with a conditional power, but in the expectation that he would not proceed in the business till he heard further from him, had passed over to Algiers and concluded a treaty with that regency, and of course without the aid of France; and thus ended our application to

* See vol. II., p. 315.

the French government for its aid in support of our negociations with those powers, and nearly in the same manner as that did, which I made for its aid in support of our negociation with Spain. But as Mr. Barlow was likewise impowered by Colonel Humphreys to treat with Tunis and Tripoli, and the real state of the business with Algiers was unknown; it was still thought advisable that he should proceed thither, in the hope by concentring in his hands our general concerns with those regencies, that not only any error which had been committed, if such were the case, might be corrected, but that by his observations upon the character and circumstances of those powers, such light might also be obtained, as would prove useful in the guidance of our affairs with them for the future. Accordingly Mr. Barlow departed soon after this in the discharge of the duties of the trust reposed in him, and to whose very important and extraordinary services to his country, in the course of his mission, I with pleasure add here my testimony to that of all those who are acquainted with his conduct in it.

From this period I had but one object to attend to, the preservation of our actual footing with France, which was, as already shewn, as favorable as we could wish it to be. Nor was there any cause to apprehend a change for the worse, unless it was produced by the English treaty. But the contents of that treaty were unknown and of course there could be no fair ground for a change of policy towards us on the part of France. And upon the subject of it, but little was now said, either by the committee or myself, in our occasional interviews. By the committee indeed it was never mentioned even informally, except when some occurrence brought to view the subsisting relations between the United States and France, such for example as the arrival of Colonel Trumbull, Mr. Jay's secretary, of Mr. Pinckney on his route to Spain, and of Colonel Humphreys, as above stated; or upon some pressure for the settlement of the claims of individuals, upon which occasions it was easy to perceive, it was a subject not lost sight of. And by me it was never introduced, for as I had no new communication to make to the committee upon it, whereby to remove the suspicions that were entertained of its contents, and any allusion to it in that state could of course only

serve to revive unpleasant sensations to our disadvantage, I thought it most eligible to keep it out of view. I continued however to look with anxious expectation to the administration, in the hope of receiving from it soon such information, respecting that treaty, and of the future views of our government towards France, as might at least preserve the subsisting harmony between the two nations.

Early in June 1795 accounts were received in Paris that the British government had revived its order for the seizure of provision vessels destined for France. At that period Paris, and many other parts of France, were in the greatest distress for provisions, in consequence whereof the attention of the government was directed with great solicitude to those quarters whence supplies were expected, particularly to the United States of America, where great sums had been expended in the purchase of them. Unfortunately however but few of those vessels reached their destination, for in general they were taken into port by the British cruisers. It was soon obvious that this aggression of Great Britain upon the rights of neutral nations, being made with the intent to increase the distress of famine which was then raging at Paris, and thereby promote the disorders which were in part attributable to that cause, excited a ferment in the French councils which was not pointed against Great Britain alone. The neutral powers were likewise animadverted upon, particularly the United States, to whom the attention of the committee was, as I had reason to believe, in a more especial manner drawn, by the report of one of its secret agents from England, who stated that he was advised there through a channel to be relied on, that the English administration had intimated the measure would not be offensive to our government, since it was a case provided for between the two governments. I was however happy to find that this report, which I treated with contempt, was at the time not much attended to by the committee; for it was deemed impossible, that our government should give a sanction to the system of kings for starving France. Nevertheless after the treaty appeared, I thought it my duty to communicate the purport of that report to the administration, with the comments that were made on that part of the treaty, which was supposed to authorize the British seizures; in

the hope that such a conduct would be observed in regard to that proceeding of the English government, as would exempt us from the imputation of countenancing it.*

About the middle of August 1795, American gazettes were received at Paris containing copies of the English treaty, whereby its contents were made known to the committee of public safety without my aid. From this period therefore all mystery upon that subject was at an end. The possession of the treaty enabled the French government to judge for itself upon all the points which it involved. Nor was the effect which it produced an equivocal one; for there did not appear to me to be a description of persons, not in the interest of the coalesced powers who did not openly and severely censure it. True it is, it made its appearance at a time when it was likely to produce the worst effect, being when Paris and many other parts of France were, as above mentioned, in the utmost distress for provisions, and when the British were likewise seizing our provision vessels destined for their relief.

It will readily occur, from a variety of considerations, that my situation was now truly an embarrassing one. I had, however, long before this settled in my mind the part it became me to act during this crisis of our affairs; which was to do everything in my power, consistent with propriety, to reconcile the French government to that treaty. I had therefore *now* no new decision to make, but simply to pursue *that* which I had already made. But as yet it was not known that the treaty was ratified, nor certain that it would be, for the spontaneous and almost universal disapprobation that was bestowed upon it throughout the United States, as soon as it was seen, was sufficient at least to inspire a doubt on that point: Nor had I any letter from the Department of State of a late date, to intimate the course our administration was likely to take. At this period, therefore, comprehending the months of August and September, 1795, I did not know how to act;† for admitting that neither my previous well known political principles, nor the communications I had made to the

* Letter of August 17, 1795, to the Secretary of State.

† *Ibid.*

French government, which were in opposition to the result now before it, imposed upon me any restraint, tho' doubtless in strict propriety they ought so to have done, yet until our government took a part, it was impossible for me to take one. Had I for example, turned out in that stage as a partizan of the treaty, and provoked a discussion of its merits with the French government, and a month afterwards received advice from the administration that it was rejected, I should not only have exposed myself to contempt, but likewise have deprived the United States of the merit which the rejection would have entitled them to with the French nation. Besides, what advantage was to be gained by such a course of proceeding in any stage? Was it not always in time to discuss the merits of that treaty, when the French government resolved to do it? and was it not my duty, seeking to preserve harmony between the two countries, to labour rather to prevent a discussion throughout, than to promote one? A certain portion of reserve, therefore, on my part, was now particularly necessary; and such was the conduct which I observed. At the same time I affirm, that it was my invariable practice to avail myself of every opportunity that occurred, to inculcate by all the means in my power, as well by obviating such objections as were made to the treaty, in the best way I could, as by urging considerations of a more general nature, the propriety and policy of preserving the subsisting harmony between the two countries, and with what effect will be seen by the documents which follow.

At this period I witnessed a very extraordinary political phenomenon. The appearance of the treaty excited the general disgust of France against the American government, which was now diminished by the opposition which the American people made to the treaty: for as soon as France saw that the Americans took up the cause as their own, and were indignant at a measure which they thought arranged them on the side of Britain and of kings, against France and public liberty; from that moment did a friendly sentiment discover itself in her councils and throughout the community towards us, which by moderating the temper of the French government promoted of course the views of the administration. The contrary effect

was charged upon that display of the public sentiment in America; but the charge was dictated, more in the spirit of party than of true philosophy; for it was not warranted at the time by the principles of the human heart nor did it correspond with the fact.

But near the middle of September had now arrived and I had heard nothing from the administration of its decision on the British treaty, or its views in that respect, and in the interim had the mortification to see that we daily lost ground which it would not be easy to recover. In short it was obvious not only that the French government no longer confided in the amicable professions of our own, but that this treaty had otherwise produced an effect so unfavorable in the public councils towards us, as to give cause to apprehend in case it were ratified consequences of a very serious nature.

By my original instruction it appeared that in case our negociation with England failed and measures of some tone were in consequence taken towards her, that much reliance would be put on France. It was in fact the plain import of those instructions; that if war was resorted to, which in that case seemed to be contemplated by the administration, that we should be arranged again on the same side with France, *our first and natural ally* (to use the words of the administration) since I was expressly instructed to *let that be seen by the French government.* And by subsequent letters, particularly that of the 25th of September 1794, this idea was reiterated and inforced. It was upon this principle that I touched upon that topic, in my communications with the committee of public safety at a certain period, the result whereof was always made known to the administration immediately afterwards. Nor can it be doubted, in case that negociation had failed, or the treaty been rejected, that such would have been the policy of our administration. Having then at that period intimated the reliance, which in that case might be placed on France, it became my duty, now that it appeared probable the treaty would be rejected, and myself in consequence called on to verify the intimations I had given of the disposition of France to support our claims against that power, to state the arrangements it would be necessary for us to adopt to secure that support. Accordingly I informed the administration explicitly, that if the

treaty was rejected, and it was wished to command with effect the fortunes of France in any further negociation with England we, *remaining at peace and relying on France for the support of those claims against that power without any effort of our own, that under existing circumstances* it would not only be necessary for the administration to avail itself of some well known pronounced character in regard to the great question which now agitates the world, to whose care the negociation should be committed, but that in other respects extraordinary circumspection should be used in the prosecution of the negociation itself: —For otherwise it would not command the confidence of France, nor could her support without it be counted on as sure or effectual.* If this was done I repeated to the administration my assurance that I was satisfied the full aid of France might be obtained to support our claims upon that power, and upon terms fair and honorable to us: Nor have I a doubt that such support wisely managed in negociation would have been effectual.

About the last of September, or first of October 1795, I received several letters from the Secretary of State, of which those of June 1st July 2d, 14th and 21st alone merit attention: All of which came to hand at or about the same time, and generally by the route of England; the vessels by which they were sent being taken into port there, under the order of the British government which issued in the spring for seizing all vessels laden with provisions destined for France.

The letter of June 1st contained a justification of the conduct of the administration in forming a commercial treaty with Great Britain at that period; and likewise a vindication of the administration against the charge of a want of candor (which seemed to be apprehended) in the explanations that were given by it of the motives of that mission; in which the idea of a commercial power was always withheld. The letter of July 2d contained advice, that the treaty was not ratified, and that the President was undecided upon the point of ratification; which uncertainty too as to the ratification was encreased by those of the 14th and 21st. A copy of the treaty accompanied the letter

* See letter of September 10, 1795, to the Secretary of State.

of July 2d, and a copy of the correspondence with Mr. Adet, upon the subject of the treaty, that of July 14th.

It was inferred from these letters, that, when that of June 1st was written, the executive had resolved to ratify the treaty in case the Senate approved it, and that the hesitation which afterwards took place proceeded more from the shock which the general disapprobation of the treaty by the people gave the administration, than from any disinclination on its own part to the ratification. It was likewise inferred that that *letter* was written with a view to lay the foundation for such an event, in the expectation the ratification would probably embroil us with France. In one particular the contents of this letter affected me personally, by affirming that my instructions had not warranted the construction I had given them, in explaining as I had done the motives of Mr. Jay's mission to London. In this was opened a subject for discussion between the executive and myself of a very delicate nature. It was however still my hope that our affairs with the French republic would be so managed, as to prevent any controversy whatever, or even discussion of an unfriendly kind between the two governments, and, in any event, my firm resolution to engage in none of a personal nature, with either of them, if to be avoided. Upon this principle I answered the above letters of the Secretary, simply by an acknowledgment of their receipt; repeating to him at the same time my assurance that I had done and should continue to do every thing in my power, not only by a proper use of the documents and lights derived from him, but of such others as my own imperfect experience and erring judgment had supplied, to preserve harmony between the two countries.*

It happened that a few days after the receipt of the correspondence between the Secretary of State and Mr. Adet, which accompanied the letter of the 14th of July above noticed, I had occasion to use and accordingly did use it. I had called upon Mr. Jean Debry, the member of the committee of public safety who was charged with American affairs, to procure the passports, dispatches, &c. which were promised by the French government

* Letter of October 20, 1795, to the Secretary of State.

for Mr. Barlow, who was upon the point of departing for Algiers to pursue the negociation of our treaties with the Barbary powers. Scarcely however was this topic closed, when my attention was drawn by this member to another, that of our treaty with England, which he said was considered by the committee as injurious to France. He added that he was then preparing a letter in behalf of the committee, and by its order, to me upon that subject. We discussed this point some time, till at length I asked him if the committee had received the correspondence of our Secretary of State and Mr. Adet's upon it, to which he replied in the negative.—I then asked permission to put into his hands a copy of that correspondence; requesting further that the letter spoken of might be deferred until the committee had examined and weighed it, to which he readily assented: A copy of the correspondence was in consequence sent him on the next day, or very soon afterwards.* It was upon this ground that I intimated

* See Mr. Purviance's note—About the end of September, or perhaps the beginning of October last, 1795, I accompanied Mr. Monroe at a conference he had with the representative, Jean Debry, then a member of the committee of *Salut Public*, and charged with the department of American affairs.

This conference was for the purpose of engaging the good offices of the French government in aid of our negociations then pending with Algiers, &c. Applications on the same subject had some time before been made to the committee, and assurances returned, that measures would be taken to promote our wishes.

The conversation digressing from the above topic to others, turned on that of the treaty concluded between the United States and England, a copy of which, with the news of its ratification by the Senate, accompanied by certain comments or strictures thereon by a French citizen, Jean Debry said had been just received by the committee, and if I recollect right he immediately after hinted at the dissatisfaction excited by this treaty in the mind of the government.

Being asked by Mr. Monroe if they had received the correspondence which had passed between their minister, Mr. Adet, and our government on the subject, he replied they had not;—whereupon he was promised by Mr. Monroe a copy of that correspondence, and it was accordingly delivered to him the next day, or in a very few days after.

Upon his intimating to Mr. Monroe the intention of the committee to address him a letter upon the subject of the treaty, it was requested this letter might be deferred until the correspondence just spoken of had been examined and

in my letter of the 20th of October my opinion, that if the treaty was ratified, I should hear from the French government upon the subject of it: Of the symptoms of discontent which I witnessed, I had before given frequent intimations.

On the 27th of October, 1795, the convention closed its career, by transferring its powers to the present government of France, founded in a constitution which had been regularly submitted to the people, and adopted by them. To this new government was likewise transferred the subsisting relations between France and other powers, comprehending, of course, those with the United States of America.

Just before this change of government in France, Mr. Fauchet arrived from the United States with an account, that the treaty was ratified; of whose arrival, dissatisfaction with the treaty, and apparent favorable reception by the committee of public safety I informed our administration in my letter of the 5th of November, which immediately followed.*

In the beginning of December, 1795, I received two letters from Mr. Pickering, who had been called by the President

weighed by the committee.—In this proposition he acquiesced, and presumed they would likewise.—The topic being pursued, Mr. Monroe took occasion to represent the great importance of cool and dispassionate measures on the part of the French government in their relation with the United States, assuring J. Debry, that the pursuit of such measures could not fail to produce the happiest effects, while from a different policy might flow consequences highly gratifying to the enemies of both republics.

Some particular expression used by Mr. Monroe, in urging this point, provoked on the part of J. Debry a reply, in which he dwelt at some length, and with some warmth too, upon the perfect competency of the French government to discern and decide upon what measures were proper to be taken by it under particular circumstances; upon its uniform friendly disposition towards the United States and upon the evil effects that must result from a final adoption of the treaty with Britain.

Some hints too were given by J. Debry of a project which had been sketched for either extending or strengthening the existing connections between the two republics, which from its not being sufficiently matured, and owing to the other great labours of the committee had not been hitherto intimated to Mr. Monroe.

J. H. PURVIANCE.

Paris, Aug. 1796.

* See vol. II., p. 407.

provisionally to the Department of State, upon the resignation of Mr. Randolph; the first of which bore date on the 12th, and the second on the 14th of September of the same year. By that of the 12th I was informed officially, and for the first time, that the treaty was ratified, although near a month had elapsed since the ratification. And by that of the 14th I was advised of an attempt made by the Captain of a British frigate, to seize Mr. Fauchet, the late French minister, within the limits of the United States, on his return home, as likewise of the measures taken by our administration to obtain of the British government adequate satisfaction to the United States for that violation of their rights.

The letter of the 12th of September, first above mentioned, which announced the ratification of the treaty, was written expressly for the purpose of designating to me the conduct I was to observe for the future, and in consequence of the ratification, in my deportment towards the French republic. It will therefore be proper to present here, concisely, the substance of that letter.

Mr. Pickering begins by observing, that as the treaty with Great Britain was ratified, and likely to become a compact between the two nations, it was proper I should become possessed of the opinions of our government, especially as it *appeared probable from my letters and the movements of disaffected persons in the United States*, that unfavorable impressions upon the government and people of France were to be apprehended. He adds, that from motives of friendship, and with a view to produce tranquillity and satisfaction, the administration had acted with the utmost candor towards the French government in every stage of the negociation; of which he gives the explanations that were made it of the motives of Mr. Jay's mission to London, whilst the negociation was depending, and the communication of the treaty to Mr. Adet, after the advice of the Senate, and before the ratification by the President, as distinguished examples: affirming that by the treaty itself the rights of France, whether founded in the laws of nations or treaties with the United States, remained unviolated and unimpaired. He then adverts to the late seizures by order of the British government, of provision vessels destined to France, as a circumstance likely to create inquietude, with a view to explain the 18th article; which he

says had been misrepresented in America, as being unfriendly to France. The first paragraph of that article, he admits, had departed from the spirit of modern treaties, in allowing certain articles of merchandize, made free by such treaties, to be deemed contraband of war; but yet, he says, we have not departed from the spirit of the old law of nations, by admitting any article to be contraband which by that law was not. Britain he said would not relax; and therefore the best that could be done in that case was to recite in the treaty the list of contraband designated by the old law *by way of advertisement to our maritime and commercial people, to admonish them of a risk which existed.* And by the second paragraph of that article, which refers to the doctrine insisted on by England, that provisions may be contraband when destined to places not blockaded or invested, he says that without acknowledging her doctrine, we have guarded against its ill effects, by stipulating that when provisions and other articles, not generally contraband, shall become such, and for that reason be seized, they shall not be confiscated but paid for: A stipulation, he adds, it was evidently expedient for the United States to obtain, since by it our commerce is no longer left a prey *to future spoliations without any definite means of liquidation or redress:* That, *whether it was best to oppose this pretention of England by force was a question which pertained to the proper authorities of the United States to decide,* who alone had a right to determine in what manner it was best to obviate *an evil,* and when it was proper *to repel an injury:* That as an independent nation we were the exclusive judges, and competent guardians of whatever concerned our interest, policy and honor; upon which subjects we would never ask the advice, or be governed by the councils, of any foreign nation whatever. He then proceeds to animadvert upon the impolicy of going to war with England; since thereby, he says, our commerce would be ruined, and thousands of our citizens be shut up or die in jails and prison-ships; our landed interest would suffer; agriculture decline; the sources of revenue fail, and other thousands of our citizens dependent on it, be involved in ruin; whence would follow the calamity of a direct tax to support the war, and happy should we be if our misfortunes ended there, or if we could contemplate only a

foreign war, in which all hands and hearts might unite. He adds that by going to war, we should even hurt France, since our ports would be blocked up and our commerce at an end. That *a fruitless diversion* on the side of Canada would nearly bound our efforts; whereas, whilst we remained neutral, the aid we give her was immense; for as, by the clause in question, payment was stipulated for our provisions destined to France, when taken, being contraband, it was presumed our merchants would find therein a new stimulus for pushing their enterprizes to that country. He affirms however, that the late order for seizing did not proceed from that clause in the treaty; because the British had seized, before the treaty, and because also the order applied to other neutral powers with whom there was no similar stipulation. Finally he proceeds to lay down certain positions to which, he says, I may give the solemnity of truths; such as, that the late negociation did not proceed from any predilection in our government towards England; that the remembrance of the last war, from which we just began to recover, made us deprecate whatever even seemed to look like a renewal of it; that there were many causes of difference between the United States and Great Britain, the adjustment whereof could not longer be delayed; that the commercial part of the treaty, though important, was a subordinate one, and not a new measure; that the government of the United States was sincerely friendly to the French nation.

My wish was to conciliate the French government towards the treaty which was now ratified, and most anxiously had I looked to the administration for the means of doing it: But no person will, I am persuaded, be able to point out any trait in the above letter that was likely to produce that effect. The eulogium bestowed by it, in the beginning, upon the candor of the administration, which it says was shewn towards the French government in every stage of the negociation, and whilst the treaty was depending, if admitted by that government, was not a thing for me to dwell on. Acts of candor when performed, if acknowledged by the party to whom they are said to be rendered, ought not to be boasted of by those who perform them. But if they are not acknowledged, and especially if the act upon which the pretension is founded is viewed in a different light, as there was reason to

presume was the case in the present instance, then the pretension, if urged, is likely to produce an ill effect. This, therefore, was not a topic for me to open to the French government; nor did the commentary on the treaty which the letter contained, furnish one better adapted to the purpose. Indeed it professes to notice, and in fact notices only one article, the 18th, and in so doing, admits in effect all the objections that were urged against it: For it agrees that we had thereby not only yielded the modern rule of contraband, with respect to general kinds of merchandize, which by special treaties were made articles of free trade; but that we had also made an arrangement with England, whereby she was permitted to seize our provision vessels destined to France, whenever a crisis arrived which made it eligible for her so to do, upon the condition of paying us for the provisions thus seized a reasonable mercantile profit, including freight and the expenses incident to detention. The explanation given of the second clause which respects provisions is, it is true, at first view, somewhat ambiguous, yet the true import of that explanation is as above. Indeed the disguise is so thin as to make it doubtful whether it was intended as a disguise; or rather whether the explanation was not given with a view to let it be seen, that such was the real object of that stipulation. An *evil*, it says, was thereby *remedied*, which it was deemed better *thus to adjust than to repel by force*. Of what nature then was that evil? Did it consist in the seizure of provision vessels destined to a blockaded port? Did any one ever complain of such a seizure as an injury? Or did the administration contemplate war in case that point was not yielded to us? Besides, a mode was adopted, whereby the means of *liquidation* and *redress* were provided against future *spoliations*; what spoliations? Such seizures as were made of provisions destined to a blockaded port? Are such to be called spoliations? What was the point in controversy between the two countries, which it is said was thus adjusted? Was it not simply whether the pretensions of England, who claimed a right to seize provisions, as contraband, at pleasure, with a view to starve France, should be allowed? And were not those the *spoliations* for whose *liquidation* and *redress*, *definite means* were said to be provided? Or would the administration, in a demand of payment for those seizures, which took place after the

treaty was concluded, distinguish the cases, and confine that demand to such vessels as were taken in their route to a blockaded port, saying, for these only we will be paid, but for the others, comprehending perhaps 99 out of 100, we will not — and thus revive the controversy which it was said was thus amicably closed? This, it is presumed, would not be done. This, therefore, was not a ground to conciliate upon, nor did the other parts of the letter furnish one that was more so ; for the picture of the horrors of war which it presented, a picture common to all wars, was either altogether inapplicable, or if applicable, was so only by furnishing a reply to objections, which it was apprehended would be raised against the conduct of the administration ; as was the declaration which the letter contained, that the late seizures were not made in consequence of that treaty ; and as was likewise the argument it furnished, that the stipulation in the 18th article, which secured payment in case of seizure, would, by encouraging the enterprizes of our merchants to France, be for her benefit. These two latter topics were indeed delicate ones for me to touch on, especially as it was known that the other neutral powers complained that we had slighted, if not injured, them ; and as it was likewise known by the example of the seizures in the spring, which ensued after the treaty was concluded, that if the practice was permitted, let the encouragement be what it might, Britain, preponderating at sea, might take almost every vessel that attempted to enter the French ports. And with respect to the declaration, that we were an *independent people* and had a *right to decide for ourselves*, &c. so often repeated, I did not perceive how it applied at the time : there had been no question on that point that I knew of. France had attempted to impose on us no conditions ; had asked of us no favours ; on the contrary had shewn a disposition to render us many ; under which circumstances we had made a treaty with Britain, which it was expected by the administration would produce an ill effect in France, but of which she had not yet complained : to prevent which and reconcile her to that treaty was the object, and to accomplish which required on our part wise and temperate councils. It became us with that view to convince her judgment, and to avail ourselves of her antient and friendly disposition towards us, not to provoke and

irritate her passions. So that upon the whole, I did not perceive a single trait in this letter, which was written after long delay, and doubtless with mature deliberation, to designate the course I was to pursue in consequence of the ratification of the treaty, which breathed a spirit of conciliation ; not even in that part which contained what was called positions to which I was instructed to give the solemnity of truths ; for they also were calculated only to meet objections, and were otherwise expressed in such a tone of moderation, in point of friendly regard, as to have been well adapted to a communication in a like case to Russia, Turkey, or any other power with whom we had no political connection. On the contrary, that letter appeared to me, in its general tenor, to be dictated in a spirit of hostility, and more with a view to promote a rupture than prevent one.

To reconcile France to that treaty, I expected to have been authorised to explain to her government how long the commercial part was to remain in force ; to state to it formally, that we were ready to enter into a new commercial treaty with her, and upon what principles, to be commenced either in Paris or Philadelphia : In which expectation, and with a view to the event of a ratification, I had told the administration, when I advised it of the ill-effect the treaty, whose contents were then known, had produced, that I should await its orders without any, the slightest, compromitment either of it or myself.* But nothing of this kind was to be found in that letter, nor in any which preceded or followed it. For all that the letters contained or attempted, which touched that subject, *was a justification of the administration, against the charge which was either raised or expected, of having evaded the overtures of France to treat on commerce, at a time when it was admitted that an advance was made by the administration to treat on that subject, and a commercial treaty actually concluded by it, with Great Britain.*† Still, however, my object was the same, which was to conciliate and prevent, if possible, a rupture between the two countries ; and I was resolved, if I could derive no aid from the administration to promote that end, at

* See letter of August 17, 1795, to the Secretary of State.

† See *State Papers*, Foreign Relations, vol. I., p. 712.

least not to become its instrument in defeating it, if such was its view, which now seemed probable.

But it was my duty to answer this letter, which I did without a comment; for it was improper for me to censure and useless to advise. I simply acknowledged its receipt with an assurance that due attention should be paid to it, as occasion required;* to which I likewise added the fact, that symptoms of discontent were still seen, but whether they would assume an aspect more unfavorable I knew not: If they did I would immediately communicate it.

There was however one trait in that letter to which a more explicit answer became necessary. It had been intimated to me in that of June the 1st, that my instructions had not warranted the explanation I had given of the object of Mr. Jay's mission to London; which intimation was here repeated, in a manner it is true, not so direct, but yet in a tone not less positive. I had avoided answering that passage in the former letter, from the consideration that, in the then state of our affairs, the interest of our country required cool and united councils, to extricate us from the difficult situation into which we were thrown. But by reviving and pressing this point upon me, it seemed as if the administration expected an answer, with design to ground on it some measure it was much bent on, in which view it was my duty to give one. I therefore answered that passage by observing, that my former communications had shewn that I had understood and acted on that part of my instructions differently from what it appeared by these letters, it was intended I should understand and act on it; whereby I was placed, by the course of events, in a very delicate and embarrassing dilemma, from which indeed I was not then perhaps relieved, though I hoped and thought I was. In my answer I stated the fact correctly, and left it to the administration to pursue its policy.

The tone of the new government was cool and reserved towards me. But my conduct was the same, because my object was the same. I shewed, it is true, no mark of undue condescention to that government, but yet I certainly omitted no opportunity that

* Letter of December 6, 1795, to the Secretary of State.

occurred to conciliate its good will towards us. Unhappily however a very different spirit now displayed itself in our administration, whose measures obviously tended to promote a rupture.

Soon after the new government was organized I received a letter from the minister of foreign affairs, complaining of the misconduct of Mr. Parish, American consul at Hamburgh, in granting passports to English subjects as American citizens, and in being the agent of England for the equipment of the emigrants, desiring that I would communicate his note to our government with a request that Mr. Parish be removed.* Some considerable time before this I had earnestly recommended this measure to our administration, urging many considerations, suggested as well by some particulars of his own conduct, as by the circumstance of his being a British subject, why it was of importance to our interest and character as a separate and neutral people, that his commission should be revoked and committed to an American citizen.† Those considerations appeared to me to be so strong and pressing, that I concluded, as soon as they were brought to the view of the administration, he would be removed, and of course that the measure was already taken: In which expectation I answered the minister politely, intimating that I should communicate to our government the request of his in that respect, not doubting that it would be readily complied with. I should have stated, that I had anticipated the demand sometime before, and recommended the measure of my own accord; but I wished, now that it was asked by the French government, that it might appear to be granted at its request; an accommodation which I was persuaded would produce a good effect at the time. But I was soon advised by Mr. Pickering that this British subject should not be compelled to yield his post to an American citizen, at my request, supported as it was by such weighty reasons. And the subsequent management of the affair upon the application of the French government shewed that the incident became rather a cause of irritation, than of conciliation with that government; notwithstanding the evident impolicy of such a procedure at the

* See vol. II., p. 427.

† Letter of July 6, 1795, to the Secretary of State.

time, on account of the crisis to which we were brought: For although the administration (not being able to resist the objections to his continuance) did remove him, yet it was done in a manner so as to shew the French government, it was not done in compliance with its request.

In January 1796, Mr. Randolph's pamphlet was received in Paris, which contained several of the President's letters, in some of which the French republic was spoken of in terms by no means respectful, and the friends of the French revolution in the United States reproached with being the friends "of war and confusion;" and shortly after this, was received also, the President's address to congress, upon the opening of the session, which in treating of the flourishing condition of the United States, contrasted *it* with the miserable, famished, and disorganized state of other powers. Much too was said in that address of the advantage of our accommodation with Britain, as likewise of the favourable disposition of that power towards us, without the slightest attention being shewn to the French republic; unless indeed it was referred to in the picture of distress above noticed, as was inferred by the French government, as I understood from good authority, at the time.

In the course of the year 1795, the French government had repealed, as already shewn, all the decrees which were passed during the mission of Mr. Morris, under which our trade had been harrassed, and had also, notwithstanding its suspicion of the contents of the British treaty, shewn a disposition to assist us in other cases, and had actually taken measures to assist us in those of Spain and the Barbary powers; yet none of those acts or of the disposition which produced them were even glanced at in the President's address to congress, although it was to be inferred, such notice would have produced a good effect, and although it was then as just as it was politic to notice them. This conduct in the administration was the more extraordinary, from the consideration that those decrees, by whose authority our trade was harrassed, with the harrassment itself, had been announced in former communications to the congress, when the British depredations were announced. It seemed natural therefore, now that so much was said upon the subject of our accommodation with

England, that something should also be said of the repeal of those decrees by the French government, as of the proofs of friendship it had shewn us in other respects. But this was not done.

Under such circumstances it was impossible for me to succeed in conciliating the French government towards the British treaty, since my efforts were not only not seconded in that respect, by our administration, but absolutely counteracted by it. Nevertheless I continued to pursue the same line of conduct that I had done before, being resolved not to relax in my efforts, however unsuccessful I might be.

The sequel of my mission exhibits an interesting but painful spectacle, the distinguishing characteristics whereof are; the avowed decision of the French government to take some measure towards us in consequence of our treaty with England, as illustrated by many examples; with my efforts to prevent any such measure taking effect; and the attack made on me by our administration, upon pretexts equally unjust, frivolous and absurd. This part therefore I shall reduce to as small a compass as possible.

On the 15th of February 1796, I called on the minister of foreign affairs to state to him the distress of many of our citizens, merchants at Paris, on account of their claims upon the French government, with a view to engage his aid for their relief; but was immediately diverted from that object by information which he gave me, that the directory had at length made up its mind how to act in regard to our treaty with England; which it considered as having annulled our treaty of alliance with France, from the period of its ratification; and had appointed or intended to appoint an envoy extraordinary, to repair to Philadelphia to remonstrate against it; adding that he was ordered to send me an official note upon the subject, which he should accordingly do. I expressed to him my great surprise and concern at the communication, and was disposed to enter immediately fully upon the subject, but was prevented by observing that he was upon the point of going out, whereupon I left him for the time.*

* Letter of February 16, 1796, to the Secretary of State.

I attended him again on the day following, and remonstrated most earnestly against the measure, urging every argument that I could avail myself of to divert the government from it; offering to enter with him, whenever he thought fit, into a discussion of his objections to our treaty, or any other act of our government; assuring him that I should not only be always ready to enter with him into such explanations, but in the present instance should do it with pleasure, since by being possessed of our view of the subject, they would be better able to decide whether the complaint was well or ill founded, and of course how far it merited to be considered in that light. Upon this occasion, as upon the preceding one, the minister declined stating any specific objections to the treaty, or any other act of our government, and therefore I could make no specific defence. He admitted however that the objections I had urged to the measure had weight, and promised to communicate them to the directory, from whom, he doubted not, they would receive the attention they merited.*

Thus I continued without intermission my efforts to break this measure, repeating in my conferences with the minister of foreign affairs, who always heard me with attention, all the objections that I could urge against it; assuring him that it was not admitted by our government, that any deviation was made by our treaty with England, from those with France; and renewing my proposition to enter with him into a discussion of that point.† Finally upon hearing from him that the subject was still before the directory, and fearing the communication promised me might be deferred, till it would be too late for me to produce an effect upon the measure itself (if indeed it were possible in any case) I asked and obtained an audience of the directory on the 8th of March, with a view at least to attempt it. The result of this audience was a promise by the directory, that the order for sending an envoy extraordinary to the United States should be rescinded, and the minister of foreign affairs be instructed, to furnish me a copy, and discuss with me its several complaints against the conduct of our government, and that no measure should be taken upon the

* Same to same of February 20, 1796.

† Letter of March 10, 1796, to the Secretary of State.

subject of those complaints, till after my answer was received and fully weighed.*

Accordingly a summary of those complaints was presented me by the minister of foreign affairs in a paper bearing date on the 19th of March 1795. (19th of Ventose by the French calendar)† to which I replied in one of the 15th of the same month.‡ Copies of these communications were transmitted to the Department of State in my letter of the 2d of May following.

About the 20th of April I received from the Department of State a letter of the 7th of January, transmitting the correspondence which took place between the President and the minister of France, when the flag of the French republic was presented by the former to the government of the United States. I received at the same time, from the Secretary of State, a letter to the directory of France, from the President of the United States, upon the same subject; which I was instructed to take the earliest opportunity to deliver. Accordingly I delivered that letter to the minister of foreign affairs on the next day, with a request that he would present the same to the directory as soon as possible. A few days after this I received from the minister a short note, informing me that he had submitted to the directory the dispatch which was addressed to it, by the President of the United States, in the name of the Congress; and that the French government could not but receive with satisfaction whatever tended to confirm the bonds of friendship between the two nations.

From the period of my audience by the directory, and more especially after my communication with the minister of foreign affairs was handed in, I had frequent conferences with several of the members of the directory, in which I labored to promote the same object, and at one time, as I thought, with complete success; being informed by a member, upon one of those occasions, that the directory had done nothing towards us in regard to its complaints, and he presumed would not. The purport of this communication was immediately made known to the Department of State in my next letter of the 12th of June 1796.

* Letter of March 25, 1796, to the Secretary of State.

† See vol. II., p. 467.

‡ *Ibid.*

But this prospect was soon changed; for on the 25th of the same month I received a letter from the minister of foreign affairs requesting information, whether the intelligence which the gazettes announced, of the House of Representatives having agreed to carry the treaty into effect, was to be relied on, and in case it was, asking further in what light they were to view that event, before he called the attention of the directory to those consequences resulting from it, which specially interested the French republic. I replied to the minister, that with respect to his first interrogatory, whether the House of Representatives had passed a law to carry the treaty into effect, I could give him no authentic information, having no official advice upon it. And with respect to the second, that as I had already answered, and as I supposed to his satisfaction, his several objections to that treaty, to which I had received no reply, it was impossible for me to enter again, under such circumstances, into that subject. But if there were any points in the communication I had made him, upon which he thought I had not been sufficiently explicit, and he would be pleased to state them to me, that I would immediately notice them more particularly than I had done, and I hoped satisfactorily.*

On the 7th of July following I received another note from the minister, stating certain objections to the British treaty, to which I made a reply on the 14th of the same month.†

In the beginning of August 1796, the directory recalled Mr. Adet and appointed a gentleman to take his place, with the grade of chargé des affaires; who, I concluded from particular considerations, could not be well received by our government. As soon therefore as I heard of this appointment, I remonstrated strenuously against it, with the French government, and with success; for it was revoked.‡

In the beginning of August, I saw in the gazettes a communication from the minister of foreign affairs to Mr. Barthelemy, the ambassador of France to the Swiss Cantons, announcing an arreté of the directory, by which it was determined to act towards the commerce of neutral powers in the same manner as those powers

* Letter of June 27, 1796, to the Minister of Foreign Affairs.

† See vol. III., p. 27.

‡ See letter of August 4, 1796, to the Secretary of State.

permitted the English government to act towards them. In consequence I applied also to the minister for information relative to that arreté; from whom I received a general answer only, corresponding in sentiment with his letter above mentioned, to the ambassador of the republic at Basle.

About the last of August, I heard that Mr. Adet (who had heretofore been reinstated when the arretés for appointing an envoy extraordinary, and chargé des affaires were respectively revoked) was now recalled and no successor appointed to him. I was advised, at the same time, that any further application from me to the French government would be improper; since it would not only prove fruitless, but most probably produce an ill effect.*

Near seven months had now elapsed since the minister of foreign affairs communicated to me the discontent of the directory, on account of our treaty with England, and its decision to make the same known to our government, by an envoy extraordinary, to be dispatched to the United States; in the course of which time I had not received a single line from the Department of State (a letter of the 7th of January excepted, which applied to another subject) although I had regularly informed it of every incident that occurred; and although the crisis was a very important one, requiring the profound attention of the administration. In the course of this time, therefore, I was left alone by the administration, to oppose the discontent of France, not only unaided, but likewise under circumstances otherwise the most unfavourable. At this period, however, which was in the beginning of September, 1796, I received a letter from the Secretary of State of the 13th of June preceding, communicating to me the high dissatisfaction of the President on account of my conduct respecting the British treaty. To that letter I returned an answer of the 10th of the same month.†

On the 12th of Oct. following I received a letter from the minister of foreign affairs, announcing the recall of Mr. Adet, with the motive of it. To that letter I replied in one of the 12th of October.

* Letter of August 27, 1796, to the Secretary of State.

† See vol. III., p. 54.

In the beginning of November 1796, I received a letter from the Secretary of State of the 22d of August, announcing my recall by the President of the United States. In this letter the Secretary refers me for the motives of that measure, to his former letter of the 12th of June. He adds, however, in *this* that the President was further confirmed in the propriety of that measure by other concurring circumstances, but of which he gave no detail. To this letter I made no reply until after my return to Philadelphia, in July 1797.

About the 10th of November 1796, General Pinckney arrived in Paris with my letters of recall, by which my mission to the French republic was terminated. I presented him immediately to the minister of foreign affairs for recognition, and at the same time, delivered to the minister a copy of my letters of recall, requesting that I might have a day assigned me for taking leave of the French government as soon as convenient.

It gives me pleasure to remark here, that the conduct of General Pinckney, upon that occasion, which was one of peculiar delicacy to me, was in every respect candid, manly, and honorable.

On the first of January 1797, I took leave of the executive directory of France, in an audience specially assigned me for the purpose, and sailed with my family for the United States, as soon as the season would permit.

Upon leaving France I committed my letter-book and other public documents to the care of Mr. Prevost who had acted with me in the character of Secretary of Legation, a young man of merit and talents, well qualified to serve his country in a more important trust.

The above is a plain narrative of the facts and incidents attending my mission, from its commencement to the close ; upon which I will make a few comments.

The present situation of America is understood by every one, because almost every one is some way or other affected by it. And what it has been in every preceding stage of this European war, is equally well known, for the same reason. The picture she has exhibited is an uniform one. Its characters are strong, but yet not diversified. In her foreign relations nothing is to be seen but the waste and pillage of her commerce, sometimes by

several powers, always by some one power; and little less than anarchy at home; for the seeds of discontent, jealousy and disunion have been scattered throughout these States, in the course of a few years past, with a wasteful hand. By what means then was this state of things produced, and why was it produced?

It is well known, that the executive administration has heretofore guided all our measures; pursuing, in many instances, a course of policy equally contrary to the public feeling, and the public judgment: And it was natural to expect that that administration would now be held highly responsible for the embarrassments it has thus brought upon our country. But by this attack on me, a new topic has been raised for discussion, which has drawn the public attention from the conduct of the administration itself; for in consequence the only question now before the public seems to be, whether I have merited the censure thus pronounced upon me, by the administration, or have been dealt hardly by. But this was a mere political manœuvre, intended doubtless to produce that effect.

Whether I have performed my duty to my country, as I ought to have done, in the various, contradictory, and embarrassing situations, in which I was placed by the administration, is a point upon which my country will determine, by the facts and documents submitted to it. Upon this point I fear not the result, because I have the utmost confidence in the wisdom and rectitude of a public decision, when facts are before the public; and because, knowing what my conduct was, I can always find a consolation in my own breast, if the contrary should be the case. But whether the administration has performed its duty to the public, by a proper discharge of the great trust reposed in it, during this awful crisis of human affairs, is a question of much greater importance; which ought to be well understood. I am happy however in reflecting that these two points are altogether unconnected with, and, independent of each other; since the establishment of misconduct on *its* or *my part*, is no proof of the good conduct of the other party. To each a separate duty was allotted, and the question is entirely a distinct one, how each performed that duty, in its appropriate sphere.

Nor should I, in respect to myself, add a word to the light

which those documents contain, being willing so far as the propriety of my own conduct is involved, to submit the point to the judgment of my countrymen, upon the documents alone. But the administration has attempted by this attack on me, to shield itself from the censure it justly apprehended, in the hope of throwing the blame on others; a finesse which ought not to succeed. It is proper therefore to strip the administration of a mantle thus artfully drawn over it: With which view I propose to examine briefly the charge alledged against me by the administration, with the evidence by which it supports it: Not for the sake of shewing, I repeat again, that my conduct did not merit the attack, but that the administration knew it, at the time it made the attack.

The charge which the administration alledged against me is to be found in a letter from the Secretary of State, referred to above, of the 13th of June 1796;* the purport of which is, that I withheld certain documents from the knowledge of the French government, illustrative of the views of ours, respecting the British treaty, although I knew the French government was dissatisfied with that treaty, and had likewise acknowledged the receipt of those documents: and the testimony adduced to support this charge consists of the three following circumstances: First the importance of the documents themselves, which were deemed conclusive, and sufficient to have silenced the French government had they been thus applied: The second, the delay of that government to express its discontent, for sometime after I was possessed of those documents; notwithstanding such discontent was known to exist on account of the British treaty, and was likewise much aggravated by other causes; and the third, the success which attended my efforts to remove that discontent, after the 15th of February 1796, when *it* was announced to me by the minister of foreign affairs, as heretofore shewn; whence it was inferred, that had I begun in time, the affair would have been smothered in embrio.

This is the charge, and this the testimony by which it is supported. The Secretary adds, it is true, in his letter of the 22d of

* *State Papers*, Foreign Relations, vol. I., p. 737.

August following, that there were other concurring circumstances which confirmed the President in the propriety of the measure he had taken towards me; but these he did not *then* communicate, nor has he *since*, though called on to do it; nor has he communicated other testimony to support the charge already raised. To that charge therefore with the testimony adduced, I shall confine my comments.

It is proper to observe here that the documents, the withholding which the Secretary lays to my charge, were two letters, one from Mr. Randolph of the 14th of July, 1795, communicating his correspondence with Mr. Adet, upon the subject of the treaty, received about the beginning of October following, and one from Mr. Pickering of the 12th of Sept. received sometime about the last of November, or beginning of December, of the same year; for these were the only letters which I received from the Department of State on that subject, after the treaty was submitted to the Senate; or indeed before, except such as shewed the fluctuating state of the executive mind respecting the ratification; which letters could not be referred to as explaining the views of the executive, since then it had none. To these two letters therefore the charge solely applied.

It is also proper to observe here, that the first of these letters was (as heretofore stated) put into the hands of the committee of public safety, as soon as it was received, a suitable occasion permitting it; that the second was not then received, and of course could not be thus applied; though indeed had it been then received, I do not think I should have thus applied it, for reasons heretofore given. It will however be seen by a perusal of my discussion with the minister of foreign affairs, that I omitted nothing which either of those papers contained, which could be turned to any account. The first of these facts, it is true, was not then known to the Secretary; for as the object, at that time contemplated by the committee, was not pursued, on account I presume of the change of government which took place immediately afterwards in France, and might possibly never be revived, I declined mentioning it to our administration, from motives of delicacy to both governments; wishing, if to be avoided, that no such evidence of the discontent of France, should appear in my

correspondence. The omission however to communicate it to the administration, was no ground whereon to charge me with a contrary line of conduct, against the force of so many other facts and circumstances as were at the time in its possession. The other fact could not then be known, because the decision respecting me was hurried, before a copy of that discussion was received. The cause of such precipitation, at that precise time, and under the then existing circumstances, the administration ought to explain.

But I will proceed to examine the Secretary's charge with the testimony by which he supports it; the first item of which is, the importance of the documents in question; which he says were sufficient to have silenced the French government, had they been thus applied, whence he infers that they were not thus applied. In noticing this piece of testimony, I do not wish to be understood as derogating from the merit of those documents: I will admit, at least for argument-sake, that the letters referred to are well written. But I deny that the conclusion drawn from that circumstance is a just one; or in other words that the continuance of the discontent of the French government, after I received those documents, is a proof that the light they contained was withheld. It is well known, that every free government *is the proper guardian of whatever concerns its interest, policy, or honor, upon which subjects it takes its own counsel, and pursues its own measures;** nor does it often happen, that such government regards the counsel of any foreign nation whatever. I believe no instance can be adduced, by the administration, of any counsel being asked or attention shewn on its part to the counsels of the French nation, from the commencement of the administration to the present day, nor to the counsels of a minister of that nation; one instance only excepted, in which his counsel was asked, but immediately rejected. Why it was asked it will be easy to explain, as it likewise will be to shew, that it was determined to reject it before it was asked. This sentiment then, which is a just one, ought to be admitted as reciprocal; but although the Secretary is firm and peremptory, when he applies it in our favor, yet he denies its existence as applicable to the French republic. He

* See *State Papers*, Foreign Relations, vol. I., p. 596.

supposes after those letters were written, that the affair with France was settled; that we were to hear no more of her discontent about the British treaty, or if we did, that I was to be responsible for it. In short he seems to have concluded, from the moment those letters were forwarded to me, that he had put that nation under my care, and if I did not keep *it* in order, that I merited censure. This indeed were an easy way to settle our controversies with foreign powers, and fortunate should we be if we could thus adjust them. But how happens it, that none of our controversies have been thus adjusted? Many letters have been written; much labour bestowed in that line by the Secretary himself, and still we are involved in many controversies; none of which, even of the old ones, seem yet to be finally settled, though the opportunity for it was a most favourable one; whilst others are accumulated. I think therefore it must be admitted, that the continuance of the discontent of the French government, after those documents were received, however important they might be, was no proof that any light they contained was withheld by me.

And with respect to the second circumstance relied on;—the delay of the French government to bring forward its complaints, for sometime after I received the documents in question, notwithstanding its discontent, &c. I cannot conceive how that can be urged in support of the charge. If that argument was sound, it would follow that if that government had brought forward its complaints sooner, my conduct would have been correct; whilst on the other hand, if it had never complained, there would have been a complete demonstration of the charge. It is impossible to reason on an argument so absurd. I shall only observe upon it, that had I been called on for a proof of my activity and zeal, to preserve tranquillity between the two countries, I should have urged the delay of the French government to complain, discontented as it was, as a most satisfactory one. Indeed I do not know, before the government did complain, how I could produce any other.

And the third circumstance relied on, to prove misconduct in me, seems to be equally absurd. I believe it is the first time that the success of exertions was ever urged as a proof that none were made, or that they were not made in due time. Such success,

where the object was a desirable one, is generally received by the party for whom, or under whose auspices, it is rendered, with pleasure; and obtains for the party rendering it, some degree of acknowledgment. But that it should be adduced as a proof of previous misconduct, and treated as such, is an act of which I think there is no example. Ardent must have been the pursuit of some political object thereby counteracted, or keen and violent the passions which otherwise hurried the administration on, or surely it would not have used such an argument. I will ask, and the question ought to be attended to, whether those efforts whose details were then before the administration, contained the evidence of a mind indifferent to the object in view? Whether the success which attended them, whereby the course of the French government was actually checked and suspended, for about seven months, was a proof that that government thought me insincere, or that the counsel I gave was unworthy its attention?

I might observe, that for this argument to have weight, my success ought to have been complete. But unfortunately this was not the case as is too well known. My efforts produced an effect for a certain term only: A sufficient one however to have permitted the administration to interpose, and assist me. It did interpose, it is true, but it was not for that purpose. Had my success been complete we should have witnessed an extraordinary political phenomenon, that of a public minister furnishing, by successful services to his country, testimony to an administration hostile to him, to prove that he had rendered none, and was a delinquent. Such an argument is too absurd to be dwelt on. It requires only to be understood, to be despised.

Whether I pursued the wisest course that could have been pursued, to prevent the complaints of that government and to reconcile it to our treaty with England, I will not pretend to say. The course which I pursued was a plain one: It was to prevent, by informal explanations, &c. the necessity of an official discussion; a practice I had been long in the habit of, as was well known to the administration. As soon however as the French government took up the subject officially, I was likewise prepared in that line to oppose and did oppose, its measures; nor did I relax in my efforts, till they were evidently fruitless.

From the period when the treaty was concluded in Nov. 1794 till February 1796, when the French government first took up the subject as above stated, fourteen months had elapsed; and from that period to the time when the first act respecting the commerce of the neutral powers was passed, near seven months more had elapsed; forming in the whole about twenty one months, before any step was taken: Nor did it take a single step until after the treaty was ratified by the President and Senate, and the House of Representatives had likewise given its sanction, by the passage of a law to carry it into effect. Yet it was known that the French government was jealous of the object of the mission which produced that treaty from the period of its nomination; that it suspected the treaty was founded upon principles injurious to France before its contents were seen; and that those suspicions were confirmed when they were seen.

Whether I contributed in any degree to divert the French government from opposing the ratification of that treaty, or taking its measures after the treaty was ratified, I will not pretend to say. This is submitted for others to determine. If I did, I am not boastful of it; since as our administration did not take advantage of that delay to heal the breach in time, it was of no real service to my country. Well however do I know, after the French government had rejected my counsel, and taken a different course, that I was viewed by that government for sometime in a questionable light: Nor were the motives of my conduct justly appreciated by it, until after I was censured by our own.

Such were the facts and documents in possession of the administration, when it pronounced a censure on my conduct. Can any one then believe, that the motive assigned for it was the true one? And if it was not, what was the true one?

To determine this latter point some attention is due to the conduct of the administration through every stage of this European controversy; for the whole of its conduct forms a system, which ought to be taken together, to judge correctly of its motives in any particular case. To do justice to the subject, in this view, would require more time and attention than I am now able to bestow on it. I will however notice some facts and circumstances, which

being duly appreciated, cannot otherwise than facilitate the labors of others, in making a more accurate research.

The first is, the appointment of a person as minister plenipotentiary to France, in the commencement of the French revolution, who was known to be an enemy to that revolution, and a partizan of royalty; whereby the name and weight of America (no inconsiderable thing at that time in that respect) was thrown into the scale of kings, against that of the people and of liberty.

Second, the continuance of that person in office, till every misfortune predicted of his mission, by those who opposed it in the Senate, and disapproved it throughout the community at large (which latter description was a very numerous one) was nearly verified; the connection between the two countries having gradually diminished, as the French revolution advanced, till at the time of his recall it was reduced to a slight bond indeed: In the course of which time the embargo at Bordeaux was imposed, and continued, till removed upon the application of Mr. Fenwick, consul at that port; for our minister was not attended to: Sundry articles of our treaty of commerce were likewise set aside by formal decrees and many spoliations in consequence made upon it.

Third, the final removal of that person, not from a regard to the public interest which was known thus to suffer, but because it was demanded by the French government. Upon which occasion it was intimated to him, that his removal was attributable to that cause only; which intimation became known to the French government.

Fourth, my appointment to the French republic with the circumstances attending it: It being known that, with other members of the Senate, I had opposed in many instances the measures of the administration, particularly in that of the mission of Mr. Morris to France, and of Mr. Jay to London; from the apprehension those missions would produce, in our foreign relations, precisely the ill effect they did produce.

Fifth, the instructions that were given me to explain to the French government the motives of Mr. Jay's mission to London, not as an act of condescension on our part, at the demand of the French government, put of policy, *to produce tranquillity, and give satisfaction*, whilst the negociation was depending; by which

instructions, if the existence of a power to form a commercial treaty was not positively denied, yet *it* was withheld, and the contrary evidently implied.*

Sixth, the strong documents that were put in my possession at that period, by the administration, of its attachment to France and the French revolution; so different from anything before expressed.

Seventh, the resentment shown by the administration on account of the publication of those documents; it having been intended they should *produce* their effect, *at the same time*, and yet be kept *secret*.†

Eighth, the approbation bestowed on me by the administration when I made vehement pressures on the French government for a repeal of its decrees, under which our commerce was harrassed, exhibiting a picture of its spoliations, &c. and the profound silence and inattention of the administration when those decrees were repealed, and a disposition shown by that government to assist us in other cases.‡

Ninth, the power given to Mr. Jay to form a commercial treaty with England, in the midst of a war, by a special mission, at a time when no such advance was made to treat on that subject with France, and her advances at best coolly received.

Tenth, the withholding from me the contents of that treaty until after the meeting of the Senate; notwithstanding the embarrassment to which I was, in the interim, personally exposed, in consequence of the explanations I had before given to the French government, by order of the administration, of the motives of the mission which produced it; which deportment proves clearly that the administration did not deal fairly with me from the commencement.

Eleventh, the submission of the treaty to Mr. Adet after the advice of the Senate, before the ratification of the President; at a time when, as it appears by satisfactory documents, it was resolved to ratify it;‖ which submission therefore was probably not

* *State Papers*, Foreign Relations, vol. I., p. 668.

† *Ibid.*, p. 689.

‡ *Ibid.*, p. 699.

‖ Letter of June 14, 1795, to the Secretary of State.

made to obtain the aid of Mr. Adet's counsel, in which light it would have been improper, especially as it had been withheld from his government; but to repel an objection to the candor of the administration, in its conduct in preceding stages.

Twelfth, the character of the treaty itself by which (according to the administration) we have departed from the modern rule of contraband, with respect to many articles made free by modern treaties; have also made an arrangement, by which, whilst it professes not to have sacrificed the right, has actually and avowedly sanctioned the doctrine and practice of England, in seizing provisions at pleasure, as contraband of war; and have likewise yielded the principle, so important to America, that free ships shall make free goods.

Thirteenth, the conduct of the administration after the ratification of the treaty, being in all cases irritable towards France; although it was apprehended the ratification would embroil us with that power; and although at a moment, when it was proposed to decline the ratification, a most soothing and humiliating apology was drawn, to be presented to the English government, for declining so to do.

Fourteenth, I should not notice my recall, being in itself a circumstance too *trivial* to merit attention, if it were not for the state in which our affairs were in my hands, when my recall was decided; being at a period when it appeared I had succeeded in quieting the French government for the time, and was likely to do it effectually.* To be left there to that precise time, and then withdrawn and censured, seems to authorise a presumption, that I was left there in the first instance in the expectation I would not defend that treaty, and in consequence whereof a rupture would ensue, and recalled afterwards, when it was known I had done my duty, and was likely to prevent a rupture.

Due attention to the above facts and circumstances in connection with others that will readily occur, will, I am persuaded, contribute essentially to explain the views and policy of the administration, through the whole of this European war; the effects whereof have been so injurious to our national character,

* See *State Papers*, Foreign Relations, vol. I., p. 337.

as likewise to the agricultural and commercial interests of these States.

I have omitted to comprize in the above enumeration, the nature of this great crisis itself, because *that* being a general topic, will be embraced in the mind of every one, who examines with care the incidents attending it, in its relation to every country. It is known to have been produced by a war undertaken on the part of all the kings of Europe against France, with a view to prevent the success of a revolution in that country, in favor of liberty. Whether the nature of this crisis contributed in any degree to influence our measures, by repelling us from France and attracting us towards England, is submitted for others to determine. That it ought to have done so, will I presume not be avowed *publicly* by any one.

Whether the motives which governed the administration in its policy through this crisis are justifiable, is a point upon which the public and posterity will decide. I am happy however to observe, that no imputation can be raised against the administration, against which it may not vindicate itself, if its conduct admits of vindication.

Be this however as it may, it is nevertheless obvious, that the policy itself, was, at best, shortsighted and bad. To stand well with France through the whole of this European war, was the true interest of America ; since great advantage was to be derived from it in many views, and no injury in any. What would have been the condition of these States had France been conquered, and the coalesced powers triumphed, it is easy to perceive. Had the duke of Brunswick, for example, reached Paris, and the kings of Europe, after distributing among themselves such portions of that flourishing country as suited each, dictated to the residue such form of government as they pleased (if indeed they had not annihilated the name of France as they have done that of Poland) was it to be presumed that America, who, as the parent of liberty, was likewise the parent of the French revolution, would have escaped their notice? Or was it likely, that by a variance with France, preserving as we do, and I trust always shall preserve, our free elective government, that we should have stood well with them, hated as we know we are by one of the parties, who cannot

view us in any other light than that of rebels? Fortunately the successes of France permitted us to have only a glimpse of the danger which menaced us. But the existence of such a danger, or even the probability that it existed, was a sufficient motive why we should preserve a good understanding with the power, by whose successes it was sure to be averted.

In many other views too, it was of importance for us to stand well with France. We had claims to adjust with other powers, the favourable adjustment whereof depended much on her success: For if she was conquered, it did not seem likely that we should accomplish any of our objects with those powers; nor could we profit of her success otherwise than by preserving a good understanding with her.

Besides our footing with France was in itself highly advantageous to us. By our treaty of 1778, we enjoyed the privilege of the modern law of nations in our intercourse with her enemies. By it our ships gave protection to the goods of her enemies, and to all kind of merchandize in our trade with her enemies, strict contraband of war only excepted. The beneficial effects too of this stipulation which was respected by France at the time that treaty passed, was most sensibly felt upon our navigation and commerce; for in consequence of it, we were then become the principal carriers of the enemies of France. It was therefore of importance to us to continue this stipulation in force, and the obligation upon the administration, to be attentive to the means of preserving it, was the stronger from the consideration, that by the misconduct of the administration, it had been already once lost in the course of the present war; as from the further one, that as Britain did not recognize the same principle, the observance of it by France could not otherwise than be hurtful to her.

And in contemplation of future and more beneficial commercial arrangements, it was of great importance for us to stand well with France. The fertility and extent of her colonial possessions, with the amount and value of their productions, surpassing by far those of any other European power, (to say nothing of the importance of the commerce of France herself) are facts well understood by our commercial people. It was highly for the

interest of America to improve our footing in that commerce, and easy was it to have done so, had due attention been paid to the necessary means of improving it.

These were considerations which ought to have been attended to, and would have been attended to by the administration, if some more powerful motive had not interposed to prevent it.

Nor was it difficult to stand well with France through the whole of this crisis, and profit of her fortunes, without the smallest possible loss or even hazard. The demonstration of this position is complete; for we know that although our ground was once lost by the administration, in the course of the present war, it was nevertheless afterwards recovered; although it is much easier to preserve a friendship, whilst at the height, than to recover it after it is gone. And how was it recovered? Not by any address on my part, for I pretend to none: But simply by presenting to the French government the documents that were committed to my care for that purpose; illustrative of the good wishes of our administration for the French nation, and its revolution; and likewise by supporting those documents by my own conduct; by which however I was known, as a spectator only, not as a partizan in their affairs; for I do not recollect that I gave an opinion upon a single point, with which I had no concern, whilst I was there; nor did I ever associate with their parties, or with any description of persons as a party. All Frenchmen were kindly received at my house: In short I did nothing but mind my own business in a plain and simple way; which thousands of my countrymen might have done equally well, perhaps much better. And of her disposition to extend to us the aid of her fortunes, in every line where they could aid us, sufficient proof was likewise given.

Nor did we hazard any thing in any view by standing well with France, whilst much was to be gained. The administration admits she did not wish us to embark in the war. Perhaps this was admitted to preclude the claim of merit for not wishing it. But the fact in my opinion was so. I speak with confidence of the views of the French government, in that respect, after I got there; especially whilst our footing was most cordial. Of the

motive I say nothing; but I think it not only due to candor, but sound policy, to admit in all cases the motive to be good, when the effect was salutary.

Such was the situation of America in the commencement of this war! Such our standing with the French nation, so advantageous in itself, so easy to preserve! And yet all these advantages have been thrown away, and instead of that secure and tranquil state which we might have enjoyed throughout, we have been likewise plunged, so far as the administration could plunge us, into a war with our ancient ally, and on the side of the kings of Europe contending against her for the subversion of liberty!

Had France been conquered, to what objects that administration would have aspired, has fortunately, by her victories, been left a subject for conjecture only. Of its zeal to push things to a dangerous extremity we have many proofs: Of its moderation, none.

We have heard much of intrigues, between the people of these States and the government of France. But free people seldom intrigue together; because there is no motive for it. Between the leaders however of a free people, and the neighbouring monarchs, such intrigues have often taken place, and always will take place, whilst liberty is odious to monarchs, and men can be found base enough to betray her. If we read the history of the ancient Grecian republics, we shall see many examples of intrigues between the kings of Persia and the leaders of those republics; whilst none are to be seen of combinations between the people of any of those republics and the free governments of another, except of the purpose of overthrowing their tyrants. But in America we have no tyrant except that of prejudice, which time and information alone will overthrow.

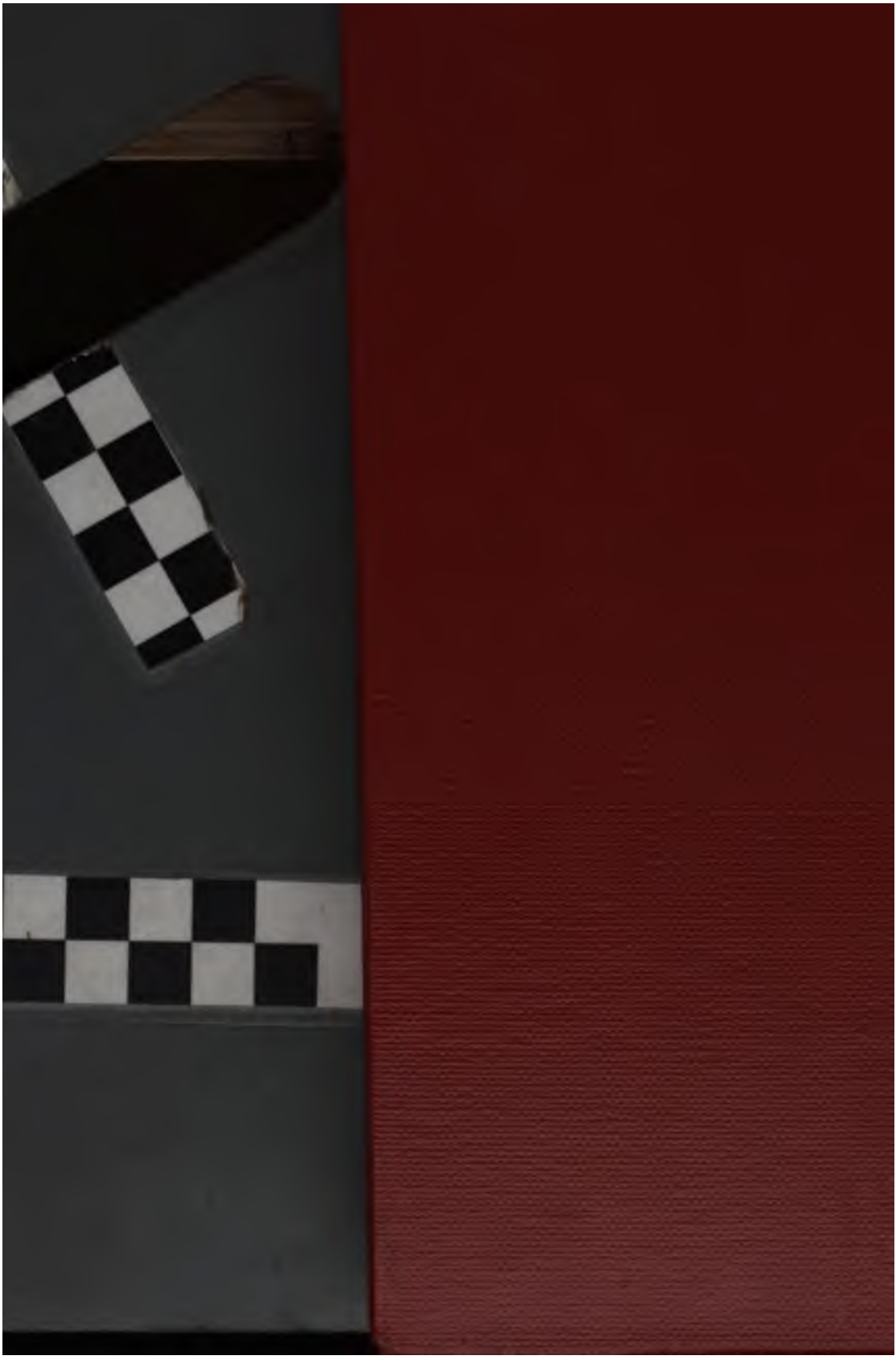
The contrast between the situation we might have held, through the whole of this war, and that which we have held, is a striking one. We might have stood well with France, avoiding all the losses we have sustained from her; enjoying the benefits of the principles of free trade, and even appeared as an advocate for those principles, and without going to any extremity: We might have preserved our ancient renown; bought at a great expence of blood and treasure, in a long war, in a contest for liberty,

and even appeared as a defender of liberty, and without fighting for her: We might too, in my opinion, have commanded a better fortune in our negociation with Britain, and only by availing ourselves, in a suitable manner, of the fortunes of France. And instead of a situation so advantageous, so honorable, so satisfactory to our country, what is that into which our government has conducted us? Our navigation destroyed, commerce laid waste and a general bankruptcy threatening those engaged in it; the friendship of a nation lost, the most powerful on earth, who had deserved better things from us, and had offered to place us, our vessels, and commodities on the footing of its native citizens in all its dominions; war hanging over us, and that not on the side of liberty and the just affections of our people, but of monarchy and our late most deadly foe; and we are made fast, by treaty and by the spirit of those at the helm, to a nation bankrupt in its resources, and rapidly verging either to anarchy or despotism. Nor is this all. Our national honor is in the dust; we have been kicked, cuffed, and plundered all over the ocean; our reputation for faith scouted; our government and people branded as cowards, incapable of being provoked to resist, and ready to receive again those chains we had taught others to burst. Long will it be before we shall be able to forget what we are, nor will centuries suffice to raise us to the high ground from which we have fallen.

END OF VOLUME III.

Stanford University Libraries
3 6105 020 030 222
.7531h

STANFORD UNIVERSITY LIBRARIES
STANFORD AUXILIARY LIBRARY
STANFORD, CALIFORNIA 94305-6004
(415) 723-9201
All books may be recalled after 7 days

DATE DUE

28D OCT 14 1997
28D DEC 01 1997
28D NOV 04 1997
28D DEC 01 1997
28D JAN 26 1998
28D DEC 30 1997
28D JAN 26 1998
28D FEB 09 1998
28D APR 29 1998
28D MAY 29 1998
28D JUN 18 1998
28D AUG 17 1998
28D OCT 14 1998
28D OCT 21 1998
28D NOV 16 1998